

RESOLUTION 1628

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING ADOPTION OF PROPOSED AMENDMENTS TO THE NORTH BEND COMPREHENSIVE PLAN LAND USE MAP AND NORTH BEND ZONING MAP, AFFECTING PARCEL #142308-9095, COMMONLY KNOWN AS WSDOT TANNER PIT SITE, IN THE 2014 COMPREHENSIVE PLAN AMENDMENTS

WHEREAS, on November 8, 2012 the Planning Commission reviewed the proposed 2013 #4 Docket and agreed to address the proposal to amend the WSDOT Tanner Pit Property from Land Use Designation Employment Park to Residential and from EP-1 to LDR zone in their annual Comprehensive Plan and Zoning Docketing process; and

WHEREAS, NBMC Sections 20.08.070 through 20.08.110 identify criteria for consideration of proposed zoning amendments, including evaluating the proposed amendments for conformance to the City's Comprehensive Plan and development regulations, evaluating impacts of the proposed amendments on the City and on surrounding properties, and evaluating the environmental, economic and cultural impacts of the proposed amendments; and

WHEREAS, staff prepared a report to the Planning Commission evaluating the proposed zoning amendments based on the above-referenced criteria, and found the proposed amendments consistent with the criteria, as described in the Community and Economic Development Staff Report and Planning Commission Recommendation attached as Exhibit B (Staff Report); and

WHEREAS, Concurrency as required per NBMC 20.12.030 for a comprehensive plan land use re-designation or rezone cannot be adequately evaluated without a specific associated land use proposal, and because impacts resulting from development are evaluated at the time of development application and are the responsibility of the applicant proposing the development, the City has deferred detailed concurrency review until the time of development application pursuant to NBMC 20.10.030(A)(2) to ensure a thorough analysis of the impact to City services and application of appropriate mitigation measures; and

WHEREAS, the proposed amendments were submitted to the Washington State Department of Commerce for review on June 19, 2013; and

WHEREAS, a SEPA Determination of Non-Significance was issued for the proposed amendments on June 26, 2013; and

WHEREAS, the North Bend Planning Commission reviewed and considered the Staff Report and proposed amendments at their June 27, 2013 meeting and conducted a public hearing on July 25, 2013 at which they received and considered public comment; and

WHEREAS, on August 8, 2013, following the public hearing, the Planning Commission recommended approval of the proposed amendments and consideration by City Council; and

WHEREAS, the Council finds that the City followed the procedural requirements of NBMC Chapter 20.08 to notify and advertise the proposed amendments to the public and to interested agencies, and that the Planning Commission and City Council subsequently considered all written and verbal comments received during their respective processes; and

WHEREAS, WAC 365-196-640(3) provides that all proposed amendments to the City's Comprehensive Plan must be considered by the governing body concurrently and may not be considered more frequently than once every year; and

WHEREAS, the next available Comprehensive Plan amendment cycle is in 2014, and therefore the proposed amendments may not be adopted until such time; and

WHEREAS, the City Council desires to adopt the proposed amendments at such time;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Approval of Proposed Amendments: The City Council supports approval of the proposed amendments to the North Bend Comprehensive Plan Land Use Map and the North Bend Zoning Map as depicted on the attached Exhibit A, and as recommended in the Planning Commission Staff Report attached as Exhibit B.

Section 2. Authorization of Comprehensive Plan and Zoning Amendments: The City Council hereby authorizes the proposed amendments described in Section 1 to be included in the 2014 Comprehensive Plan Amendment Docket, to be effective upon adoption via ordinance together with the remainder of the 2014 Comprehensive Plan and Zoning amendments.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 17TH DAY OF SEPTEMBER, 2013.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Effective: September 17, 2013

Posted: September 18, 2013

Susie Oppedal, City Clerk

City of North Bend Comprehensive Plan 2007 Land Use Designation Map Figure 1 - 1

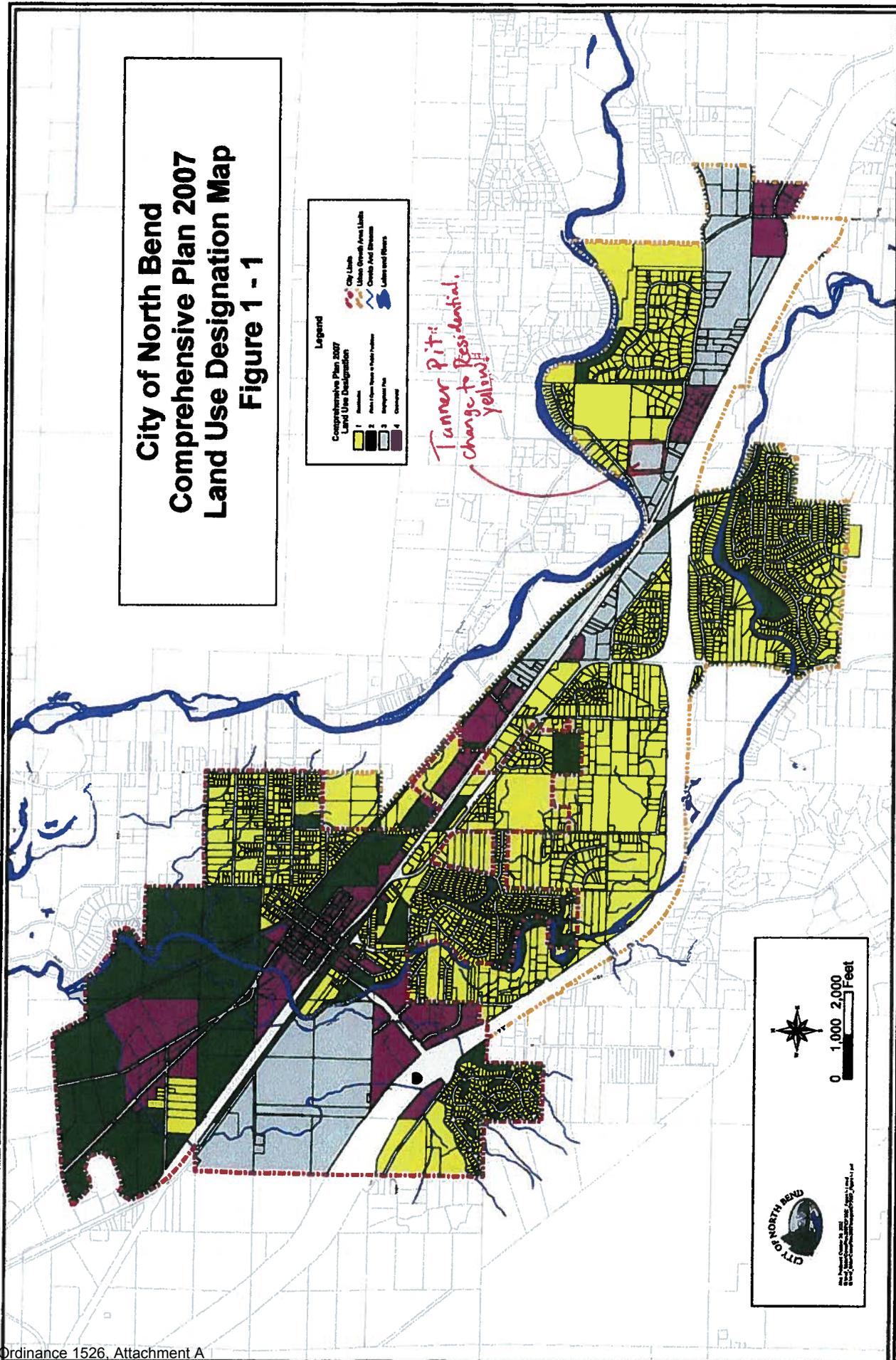
Legend

Comprehensive Plan 2007
Land Use Designation

- 1 Residential
- 2 Medium Density Residential
- 3 Single-Family Residential
- 4 Commercial

- City Limits
- Unincorporated Areas Limits
- County Road Right-of-Way
- Water and Wetlands

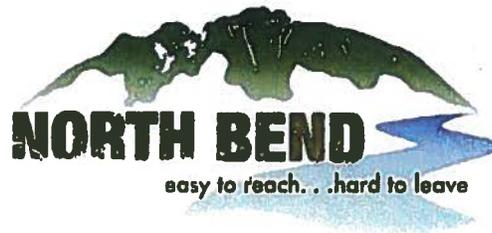
*Tanner Pit is
change to Residential.
yellow!*



CITY OF NORTH BEND

0 1,000 2,000 Feet

Scale bar and north arrow.



Community and Economic Development Department Staff Report

Application: Comprehensive Plan Land Use Designation and Zoning Map Amendment for Parcel 142308-9095, commonly known as WSDOT Tanner Pit Site

Date: June 18, 2013

Proponent (via docket process): City of North Bend

Summary of Proposed Comprehensive Plan Land Use Designation and Zoning Map Amendment

Request: On November 8, 2012, the Planning Commission reviewed the proposed 2013 Comprehensive Plan Docket List and agreed to address docket #4 which is to amend the WSDOT Tanner Pit property from Land Use Designation Employment Park to Residential and from EP-1 to LDR zone (See attached maps as Exhibit A.) The property is vacant and has historically been used for fill and excavation purposes resulting from other development. The location of this property on SE 140th Street adjacent to single family homes is not well suited to commercial or industrial uses, as permitted under the EP-1 zone.

In addition to staff support John Day of John Day Homes is also pursuing a Preliminary Plat development at this site, if the rezone is approved. However, the docket was drafted and accepted by the Planning Commission prior to John Day Homes consideration of a development proposal on the site.

SEPA: The proposed NBMC amendment is subject the State Environmental Policy Act (SEPA). A SEPA Determination of Non-Significance is scheduled to be issued June 26, 2013 with comment period ending July 11, 2013.

Public Hearing: A public hearing is required prior to a recommendation by the Planning Commission. The hearing will be scheduled for July 11, 2013.

Comprehensive Plan and Zoning Map Amendment Process: Comprehensive Plan and Municipal Code Amendments are governed by NBMC 20.08.070 through 20.08.110, evaluated in the staff report below.

A. STAFF FINDING AND FACTS:

i. Context of Neighborhood

Property to the north and east of the site is zoned LDR, to the East being the new Tannerwood Subdivision. To the west is EP-1 zone and adjacent to SE Tanner Road and SE 140th/SE North Bend Way is a mini-storage business with open storage behind. On the south side of SE 140th EP-1 zoned parcels is a mixture of vacant, residential and the Millwork Outlet which fronts SE North Bend Way.

The location of this property on SE 140th Street is adjacent to many single family homes, and some of the commercial or industrial uses permitted under the EP-1 zone may not be compatible for the area. Additionally, many local residents are interested to see a portion of this property protected for elk and

other wildlife crossing through this area. Re-designating the property to LDR would allow residential use, and better consideration of potential trail and wildlife migration issues.

II. Impacts of Proposed Amendment

NBMC 20.08.070 and .080 requires that applications for municipal code amendments be evaluated for their environmental, economic and cultural impacts, as well as impacts to surrounding properties. These impacts are evaluated below.

- 1) **Environmental Impacts.** No significant environmental impacts are anticipated from amending the Land Use Designation and Zoning of the properties from Employment Park/EP-1 to Residential/LDR. Regulations protecting critical areas, managing stormwater runoff, and controlling floodplain impacts are governed by the Critical Area Regulations in NBMC Title 14, and apply regardless of what type of development occurs on a site. LDR Residential uses will require a minimum of 5% of the property to be developed or retained for park and open space uses. This may reduce the possible adverse impacts of the site when comparing the possible adverse impacts of the site if developed at the highest and best EP-1 use, which would not require this park/ open space areas.
- 2) **Economic Impacts.** Revising the land use designation and zoning for these properties from Employment Park/EP-1 to Residential/LDR will result in less overall land available for EP-1 commercial/industrial uses and the economic benefits that come with viable EP-1 uses, however due to the location of the site, which is accesses off 140th Street, it is questionable that site would attract highly desirable uses that are compatible with the residential surroundings. If redeveloped as LDR Residential the site would include a neighborhood park, development that is compatible with the nearby residential neighborhoods on northern side of 140th Street.
- 3) **Cultural Impacts.** No significant cultural impacts are anticipated from amending the Comprehensive Plan Land Use Designation from Employment Park to Residential, and the zoning from EP-1 to LDR.
- 4) **Impacts to Surrounding Properties.** Potential impacts to surrounding properties will be decreased by the development of residential rather than commercial or industrial, as evaluated below.
 - a. **Traffic and On-Street Parking.** A change in land use from Employment Park to Residential and in zoning from EP-1 to LDR would most likely reduce the amount of potential development in comparison to commercial or industrial uses and residential uses would generate less truck/delivery traffic than a Commercial/Industrial uses. Reducing the amount of commercial traffic off SE 140th will help to preserve the residential character of the area north of SE 140th. Additionally, applications for any new development will be required to provide a traffic study identifying the impacts of traffic generated from the use to City streets, which the City uses to require appropriate mitigation measures, and provide a transportation impact fee, which the City uses to fund transportation improvements to maintain levels of service. New development would also be required to meet its parking requirement, and therefore will not impact on-street parking for adjacent uses.
 - b. **Noise.** The amendments will result in less commercial and industrial activity and therefore the noise could reduce overall at build out. Residential developments include open space and new EP-1 uses adjacent to this site would be required to provide 30' of Type I landscaping. Additionally, all uses within the City are subject to the Noise Abatement and Control Regulations in Chapter 8.26 of the NBMC. These regulations establish maximum

permissible noise levels measured at a property boundary at any time of the day, and establish a lower maximum between the hours of 10pm and 7am.

- c. **Light glare.** Unlike industrial or commercial uses residential uses do not require exterior lighting for parking areas and security around the perimeter of the building and/or property. If lighting is proposed in open space, park or trail areas it will be subject to compliance with the exterior lighting standards, which includes requirements to provide full-cutoff lighting fixtures and limitations on light level spillover at property boundaries.
- d. **Disharmony to adjacent uses.** Commercial and Industrial developments permitted in EP-1 may be considered out of scale or context to existing adjacent single family homes in the area. The proposed residential use is compatible with the new Tannerwood subdivision to the east, and LDR zones to the north and northeast. With the exception of the adjacent parcel to the west (which is accessed off Tanner Road and North Bend Way), no other industrial properties are located on the north side of SE 140th, establishing a residential character to this area. Industrial development north of SE 140th could be out of scale and context with this residential character. The residential use will not negatively impact the existing storage business in EP-1 zone to the west, and future re-development of that site would be evaluated at that time. The residential design standards in NBMC 18.34 as well as the landscape regulations in NBMC 18.18 provide standards addressing the layout and appearance of proposed residential developments, and include provisions to ensure compatibility to surrounding uses and buffering to adjacent uses. Conformance to the design standards and landscape regulations should ensure compatibility with adjacent uses.

III. Compatibility of Proposed Amendment with North Bend Comprehensive Plan (NBCP)

In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the Comprehensive Plan.

The Comprehensive Plan on p. 20 of the LU Element, calls for minimizing and mitigating incompatible land uses between residential and non-residential properties by way of setbacks, landscaping, and design guidelines, and providing limitations on permitted uses in specific locations. LU Policy 1.10 calls for protection of residential zoning districts from adverse impacts created by land uses permitted in adjoining commercial or industrial zoning districts. LU Policy 1.11 calls for the promotion of compact development within existing neighborhoods in an effort to reduce sprawl by creating development regulations that allow smaller lot infill development at a scale and intensity that preserves existing neighborhoods.

This proposal as recommended by staff limits commercial and industrial uses allowed by the EP-1 zone that could be of greater impact to the residential character of the area. The amendments are consistent with the Comprehensive Plan.

IV. Compatibility of Proposed Amendment with the North Bend Municipal Code (NBMC)

In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the North Bend Municipal Code. NBMC Section 18.10.020(A) established the purpose of the LDR zone shown below. Future applications to develop this site will need to comply with these provisions, as well as all provisions related to residential development established in the code.

18.10.020(A). Purposes – LDR District.

1. Provide for neighborhoods of predominately single-family structures at a gross density of four (LDR-4) dwelling units per acre as designated on the zoning map;
2. Accommodate other uses compatible with single-family residences and other types of innovative styles of residential units including accessory dwelling units and up to 15 percent of cottage housing with planned neighborhood district (PND) approval;
3. Maintain the integrity and character of existing neighborhood areas, including requiring that all units be held in fee simple ownership status;
4. Create attractive and satisfying neighborhood environments for family life;
5. Ensure that adequate sewer, water, and other utilities and services are provided;
6. Provide for public amenities such as passive and active recreation areas, open space, and trails and promote the opportunity for area-wide coordination and continuity of pedestrian, bicycle, and greenbelt corridors;
7. Assure development gives due consideration to existing development or that which can be reasonably anticipated on adjacent lands, with respect to common infrastructure requirements and compatibility of uses;
8. Promote a traditional neighborhood development pattern and scale which serves to maintain and enhance existing small-city character and pedestrian orientation;
9. Implement provisions of the comprehensive plan, including the vision plan, related to residential areas.

B. RECOMMENDED AMENDMENTS:

I. Comprehensive Plan Land Use Map.

The underlying Land Use Designation on the Comprehensive Plan Land Use Designation Map (Figure 1-1) for Parcel 142308-9095 along SE 140th Street, commonly known as the WSDOT Tanner Pit site shall be revised from Employment Park to Residential.

II. Zoning Map.

The City's Official Zoning Map shall be amended for Parcel 142308-9095 from Employment Park 1 (EP-1) zone to Low Density Residential (LDR) zone.

C. RECOMMENDATION

Note – the above amendments have not yet been noticed to the Public and to property owners within 300 feet of the subject properties. Notification will be done in association with the public hearing required prior to a Planning Commission recommendation. The Planning Commission will need to

consider public comment received at the hearing prior to making their recommendation. Following consideration of public comment, the Planning Commission may provide a recommendation as appropriate.

After consideration of the above findings and analysis, staff recommends amendments to the Comprehensive Plan Land Use Map and Zoning Map, as provided in section A, above, applicable to Parcel 142308-9095 along SE 140th Street, commonly known as the WSDOT Tanner Pit site.



Jamie Burrell, Senior Planner

8/9/2013
Date

Planning Commission Recommendation

Based on the findings and analysis above, the North Bend Planning Commission recommends that the City Council **APPROVE** the amendments to the Comprehensive Plan Land Use Map, Zoning Map, as provided in section A, above, applicable to Parcel 142308-9095 along SE 140th Street, commonly known as the WSDOT Tanner Pit site.



Planning Commission Chair

8/9/2013
Date

Exhibits:

- 1) Docket List
- 2) City of North Bend Comprehensive Plan Land Use Map, showing area of proposed amendment
- 3) City of North Bend Zoning Map showing area of proposed amendment

RESOLUTION 1629

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING ADOPTION OF PROPOSED AMENDMENTS TO THE NORTH BEND COMPREHENSIVE PLAN LAND USE MAP AND NORTH BEND ZONING MAP AFFECTING CERTAIN CITY-OWNED PROPERTIES AND THE NORTH BEND POST OFFICE PROPERTY, IN THE 2014 COMPREHENSIVE PLAN AMENDMENTS

WHEREAS, City staff submitted a docket request in the 2013 annual docketing process to amend the Comprehensive Plan land use designation of certain City-owned properties and the North Bend Post Office from a Parks, Open Space and Public Facilities (POSPF) designation to a Commercial designation, and the zoning from POSPF to Downtown Commercial; and

WHEREAS, the Planning Commission, in their annual Comprehensive Plan and Zoning Docketing process took up the docket request for further consideration in 2013; and

WHEREAS, NBMC Sections 20.08.070 through 20.08.110 identify criteria for consideration of proposed Comprehensive Plan and zoning amendments, including evaluating the proposed amendments for conformance to the Comprehensive Plan and development regulations, evaluating impacts of the proposed amendments on the City and on surrounding properties, and evaluating the environmental, economic and cultural impacts of the proposed amendments; and

WHEREAS, staff prepared a report to the Planning Commission evaluating the proposed amendments based on the above-referenced criteria, and found the proposed amendments consistent with the criteria, as described in the Community and Economic Development Staff Report and Planning Commission Recommendation attached as Exhibit C (Staff Report); and

WHEREAS, Concurrency as required per NBMC 20.12.030 for a comprehensive plan land use re-designation or rezone cannot be adequately evaluated without a specific associated land use proposal, and because impacts resulting from development are evaluated at the time of development application and are the responsibility of the applicant proposing the development, the City has deferred detailed concurrency review until the time of development application pursuant to NBMC 20.10.030(A)(2) to ensure a thorough analysis of the impact to City services and application of appropriate mitigation measures; and

WHEREAS, a SEPA Determination of Non-Significance was issued for the proposed amendments on June 26, 2013; and

WHEREAS, the proposed amendments were submitted to the Washington State Department of Commerce for review on August 15, 2013; and

WHEREAS, the North Bend Planning Commission reviewed and considered the Staff Report and proposed amendments at their July 11, July 25, and August 8, 2013 meetings and conducted a public hearing on July 25, 2013 at which they received and considered public comment; and

WHEREAS, on August 8, 2013, the Planning Commission recommended approval of the proposed amendments and consideration by the City Council; and

WHEREAS, the Council finds that the City followed procedural requirements of NBMC Chapter 20.08 to notify and advertise the proposed amendments to the public and to interested agencies, and that the Planning Commission and City Council subsequently considered all written and verbal comments received during their respective processes; and

WHEREAS, WAC 365-196-640(3) provides that all proposed amendments to the comprehensive plan must be considered by the governing body concurrently and may not be considered more frequently than once every year; and

WHEREAS, the next available comprehensive plan amendment cycle is in 2014, and therefore the proposed amendments may not be adopted until such time; and

WHEREAS, the City Council desires to adopt the proposed amendments at such time;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Approval of Proposed Amendments: The City Council supports approval of the amendments to the North Bend Comprehensive Plan Land Use Map as depicted on the attached Exhibit A and the North Bend Zoning Map as depicted on the attached Exhibit B, as recommended in the Planning Commission Staff Report, attached as Exhibit C.

Section 2. Authorization of Comprehensive Plan and Zoning Amendments: The City Council hereby authorizes the amendments described in Section 1 to be included in the 2014 Comprehensive Plan Amendment Docket, to be effective upon adoption via ordinance together with the remainder of the 2014 Comprehensive Plan and Zoning amendments.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 17TH DAY OF SEPTEMBER, 2013.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

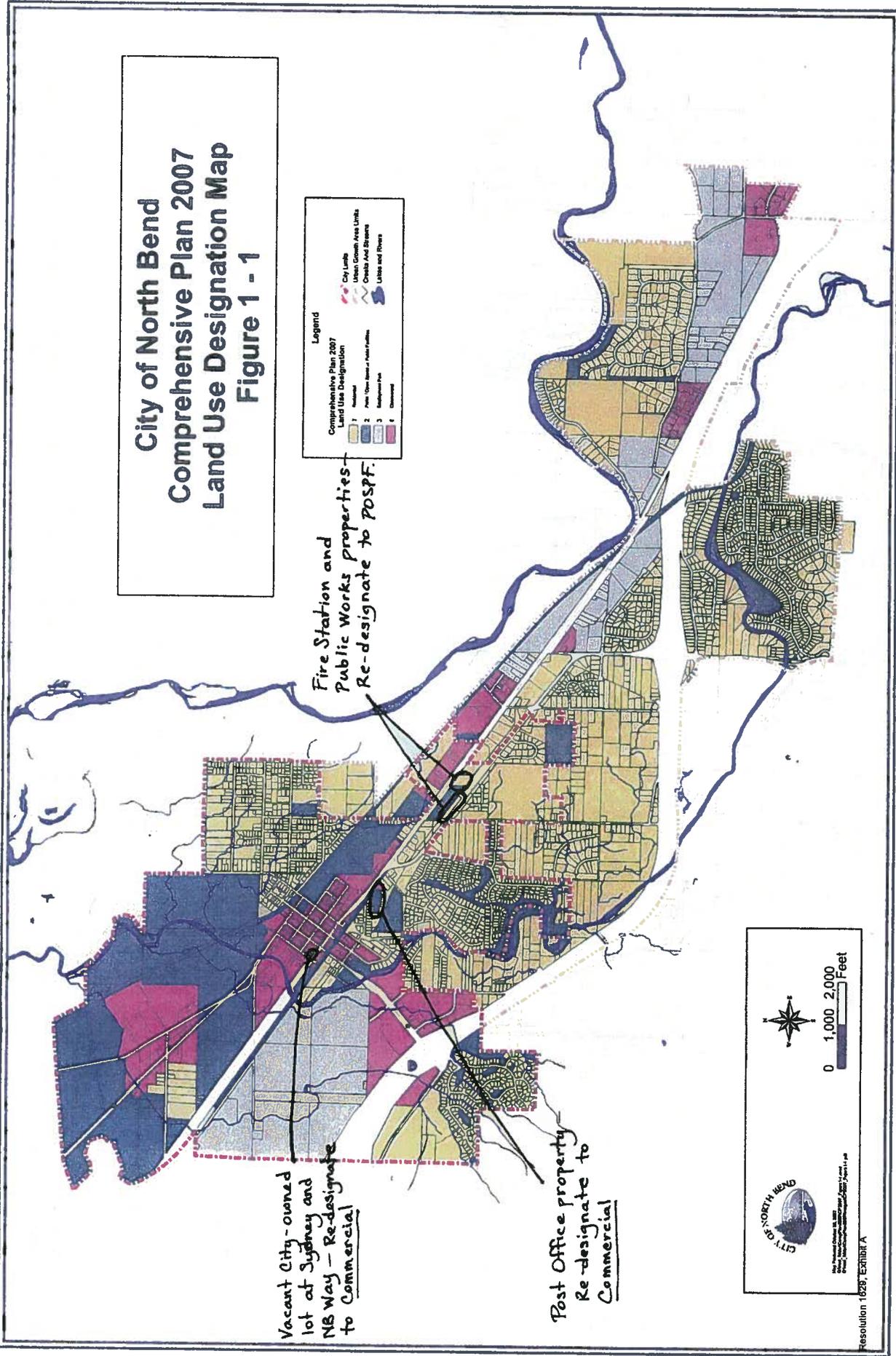
ATTEST/AUTHENTICATED:

Effective: September 17, 2013
Posted: September 18, 2013

Susie Oppedal, City Clerk

Exhibit A

**City of North Bend
Comprehensive Plan 2007
Land Use Designation Map
Figure 1 - 1**



Vacant City-owned lot at Sydney and NB Way - Re-designate to Commercial

Fire Station and Public Works properties - Re-designate to POSPF

Post Office property - Re-designate to Commercial



**Community and Economic Development Department Staff Report
and Planning Commission Recommendation**

Application: Comprehensive Plan Land Use Designation and Zoning Map
Amendments for City Properties and the North Bend Post Office

Date: August 1, 2013

Proponent (via docket process): City of North Bend

**Summary of Proposed Comprehensive Plan Land Use Designation and Zoning Map
Amendment Proposal:**

Amendments to the City of North Bend Comprehensive Plan Land Use Map and City of North Bend Zoning Map are proposed. The amendments follow from docket requests taken up by the Planning Commission for consideration of Comprehensive Plan and Zoning Amendments in the 2013 Annual Docketing Process. Included are the following:

- **Vacant City-Owned Property Amendment (Addresses Docket #6 on the 2013 Docket List).** Amends a vacant City lot -parcel 784670-0825 (corner of North Bend Way and Sydney adjacent to the Moose Lodge) from POSPF to Commercial on the Comprehensive Plan Land Use Map, and from POSPF to DC on the Zoning Map. The future use of this parcel has not yet been determined. It may be improved for public parking, may be sold for development of additional commercial buildings, or a combination thereof. The current land use designation and zoning of Parks, Open Space and Public Facilities (POSPF) would not allow commercial uses. Re-designating this property to Commercial in the Comprehensive Plan and to Downtown Commercial (DC) on the zoning map would not limit the potential to develop a parking lot or other public use, but would expand the potential opportunities for other appropriate uses.
- **Public Works and Fire Station Amendment (Addresses Docket # 7 on the 2013 Docket List).** These corrections are to show all public property at the fire station and public works sites to be within the POSPF Land Use Designation and Zone, reflecting the public uses on the property. Portions of two fire station parcels (1023089249, 1023089010) are currently designated Residential and zoned Low Density Residential, and one Public Works parcel (1023089043) is currently designated Residential and zoned Cottage Residential.

- **Post Office Amendment (Addresses Docket #8 on the 2013 Docket List):** Amends the property containing the North Bend Post Office from POSPF to Commercial on the Comprehensive Plan Land Use Map, and from POSPF to DC on the Zoning Map. While there is no proposal by the post office to move from their existing location, this would simplify the land use designation and zoning for the property and allow greater potential for additional uses in the future. The POSPF zone does not allow commercial uses. However, post offices are an allowed use within the DC zone.
- **NOTE:** The proposed amendments previously also included re-designating Parcel 8570900240 (the vacant City lot at the SE corner of Bendigo Bouievard S. and W. Park Street) from POSPF to Commercial. Following consideration of public comment, the need to have the Parks Commission consider the amendment as it relates to a public park, and the need to consider the design of a planned northbound right-turn lane from Bendigo onto Park Street as it relates to this parcel, staff have removed this parcel from this proposed amendments. The land use designation and zoning of this parcel will be considered separately at a future time.

The amendments are shown on the attached Exhibit A – Comprehensive Plan Land Use Map, and Exhibit B – North Bend Zoning Map.

SEPA: The proposed NBMC amendment is subject the State Environmental Policy Act (SEPA). A SEPA Determination of Non-Significance was issued on June 26, 2013.

Public Hearing: A public hearing has been scheduled for the July 11, 2013 Planning Commission meeting. See public comments section below for more information.

Comprehensive Plan and Zoning Map Amendment Process: Comprehensive Plan and Municipal Code Amendments are governed by NBMC 20.08.070 through 20.08.110, evaluated in the staff report below.

A. PROPOSED AMENDMENTS:

i. Comprehensive Plan Land Use Map.

The Comprehensive Plan Land Use Map shall be revised for the following parcels as follows, as depicted on the attached Exhibit A:

1. Parcels 1023089249 and 1023089010 (Fire Station) shall be re-designated from Residential to Parks Open Space and Public Facilities (POSPF). The map amendment shall additionally reflect the recent boundary line adjustment of these parcels.
2. Parcel 1023089043 (Public Works Facility) shall be re-designated from Residential to POSPF.
3. Parcel 0923089025 (Post Office) shall be re-designed from POSPF to Commercial.
4. Parcel 7846700825 (vacant lot adjacent to the Moose Lodge) shall be re-designated from POSPF to Commercial.

II. Zoning Map.

The North Bend Zoning Map shall be revised for the following parcels as follows, as depicted on the attached Exhibit B:

1. Parcels 1023089249 and 1023089010 (Fire Station) shall be re-zoned from Low Density Residential to Parks Open Space and Public Facilities (POSPF). The map amendment shall additionally reflect the recent boundary line adjustment of these parcels.
2. Parcel 1023089043 (Public Works Facility) shall be re-zoned from Cottage Residential to POSPF.
3. Parcel 0923089025 (Post Office) shall be re-zoned from POSPF to Downtown Commercial.
4. Parcel 7846700825 (vacant lot adjacent to the Moose Lodge) shall be re-zoned from POSPF to Downtown Commercial.

B. FINDING AND ANALYSIS:

II. Impacts of Proposed Amendment

NBMC 20.08.070 and .080 requires that applications for municipal code amendments be evaluated for their environmental, economic and cultural impacts, as well as impacts to surrounding properties. These impacts are evaluated below.

- 1) **Environmental Impacts.** No significant environmental impacts are anticipated from amending the Land Use Designation and Zoning of the affected properties as described above. Regulations protecting critical areas, managing stormwater runoff, and controlling floodplain impacts are governed by the Critical Area Regulations in NBMC Title 14, and apply regardless of what type of development occurs on a site. Such review will occur upon submittal of an application for development.
- 2) **Economic Impacts.** No economic impacts are anticipated from amending the fire station and public works properties to POSPF. Revising the land use designation and zoning for the other properties from POSPF to Commercial would most likely have a positive economic impact, however since the lots currently provide parking for nearby uses, strategic planning will be necessary to ensure adequate parking for these nearby uses is retained, especially at the corner of Sydney and North Bend Way, where the current development pattern of downtown buildings does not include parking at each business location.
- 3) **Cultural Impacts.** No significant cultural impacts are anticipated from the proposed amendments.
- 4) **Impacts to Surrounding Properties.** Potential impacts to surrounding properties include traffic, parking, noise, light glare, and visual scale and disharmony to adjacent uses, each evaluated below.
 - a. **Traffic.** No impacts are anticipated from amending the fire station and public works properties to POSPF. Traffic impacts from amending the other

properties from POSPF to Commercial should be negligible, as these properties are all on arterial streets and the properties are not large enough to accommodate uses that would generate substantial additional traffic. Traffic impacts for any future development will be addressed during review of that development.

- b. **Parking.** No parking impacts are anticipated from amending the fire station and public works properties to POSPF, or from amending the Post Office property from POSPF to Commercial/DC. . While amending the land use designation of the City owned lots from POSPF to Commercial and zoning to DC does not preclude continued use of the property for parking, it could result in additional commercial development and the loss of some of the public parking at each particular site. The City is currently evaluating ways to provide this needed additional general parking for downtown businesses, while allowing for the prime retail/commercial frontage to be utilized for compatible downtown commercial uses such as retail or restaurants. Other strategies could entail shared parking agreements if either site is developed with a commercial component. The City does consider downtown parking a necessity and is strategically evaluating ways to grow the parking opportunities on sites that are not prime frontage locations. .
- c. **Noise.** Public works and fire station properties – Amendments will not affect noise, as the uses are existing. City properties – Because the surrounding properties are already zoned DC, the amendment will not result in future uses that generate noise different from that already permitted on surrounding properties. Post office property - The types of commercial uses allowed within the DC zone are types of businesses that generally do not create much noise outside of the building. The only additional source of noise would likely be from employees and patrons coming and going to businesses, and deliveries, which is not likely to be significantly different from the noise associated with multifamily housing uses.
Additionally, all uses within the City are subject to the Noise Abatement and Control Regulations in Chapter 8.26 of the NBMC. These regulations establish maximum permissible noise levels measured at a property boundary at any time of the day, and establish a lower maximum between the hours of 10pm and 7am. As subject to the noise ordinance, noise should not negatively impact surrounding properties.
- d. **Light glare.** Public works and fire station properties – Amendments will not affect noise, as the uses are existing. Other properties - Commercial uses may include exterior lighting for parking areas and security around the perimeter of the building and/or property. This lighting, if not properly designed, could create light glare that could negatively impact adjacent residences at night. The City of North Bend has adopted exterior lighting standards in NBMC Chapter 18.40 of the NBMC. All new development is subject to compliance with the exterior lighting standards, which includes requirements to provide full-cutoff lighting fixtures and limitations on light level spillover at property boundaries, with stronger limitations for uses within 50 feet of residential

zones. As subject to these standards, light glare should not negatively impact surrounding properties.

e. Disharmony to adjacent uses.

The *Commercial, Mixed Use and Industrial Design Standards and Guidelines* in NBMC 18.34.050 provides regulations addressing the layout and appearance of proposed commercial developments, and includes provisions to ensure compatibility to surrounding uses. Conformance to the design standards and guidelines should ensure visual compatibility with adjacent uses for any development that may occur as a result of the proposed land use designation and zoning amendments.

III. Compatibility of Proposed Amendment with North Bend Comprehensive Plan (NBCP)
In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the Comprehensive Plan.

The proposed amendments specifically amend the Land Use Map of the North Bend Comprehensive Plan and the North Bend Zoning Map. Amending the fire station and public works properties to POSPF is consistent with the intent of this district for public purposes.

Regarding amending the other properties from POSPF to Commercial, the Comprehensive Plan provides numerous policies in the Land Use Element encouraging infill development, particularly in the downtown area. Downtown infill development would be supported by the proposed amendments. Additionally, the two vacant city lots are identified in the Downtown Master Plan as development opportunity sites, with recommendations to consider development of the properties for commercial uses, but also with a recommendation to establish standards for the sale of City property to private development. Regarding parking, policy 1.10 in the Economic Development Element calls for creating a parking plan for downtown. While the amendments are consistent with policies in the Comprehensive Plan, parking availability should be considered with regard to the future use of the vacant city lots.

IV. Compatibility of Proposed Amendment with the North Bend Municipal Code (NBMC)
In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the North Bend Municipal Code.

The NBMC does not provide regulations that specifically address the zoning of the particular properties, but does provide the intended purposes of the zoning districts in NBMC 18.10.020.

Amending the zoning of the fire station and public works properties to POSPF is consistent with the intent of the POSPF zone in providing for public purposes.

Regarding amending the other properties from POSPF to Downtown Commercial, NBMC Section 18.10.020(D) establishes the general purposes of Commercial Districts as follows:

- 1. Provide land for different intensities and types of residential, retail, service, business, office, and entertainment uses that complement, enhance, and support residential and other land uses within North Bend.*

2. Implement provisions of the comprehensive plan related to commercial land uses, including but not limited to providing economic and employment opportunities, property tax bases, necessary goods and services, and in some cases, mixed use (commercial first floor/residential upper floor) dwelling opportunities.

3. Promote high-quality commercial development that incorporates traditional development patterns and elements, including but not limited to building locations, architectural designs, construction materials, and site features that are harmonious with North Bend's small-city character.

4. Ensure that proper site needs and amenities, including but not limited to vehicular circulation and parking, pedestrian, bicycle, and greenbelt networks (where applicable), landscaping, lighting, public areas (e.g., greenspace, plazas), services, and utilities, and other necessary and desirable elements are integral parts of all commercial projects.

18.10.020(D)(6) specifies the purposes of the DC Zone as follows:

6. The downtown commercial (DC) district is intended to provide specialty retail goods, as well as a range of business, professional, and other services consistent with historic uses and scale of the downtown area. Buildings in the DC district are also expected to be smaller in scale; however, there is a provision for commercial buildings up to 10,000 square feet if they are "anchors." Building sizes and floor area ratios may be increased in certain portions of the DC zone by use of transferred development rights. The DC district will also incorporate residential development, as well as encouraging upper floor dwelling units above commercial uses. New first floor residential is prohibited in the DC zone along the entire length of North Bend Way and along Bendigo Boulevard North, from West Park Street to West Third Street. See performance standards in NBMC 18.10.050(1.00(c)). Pedestrian orientation and amenities will also be emphasized.

The proposed amendments are compatible with the intended uses of properties within commercial zones, to foster additional infill development opportunities on these properties.

C. PUBLIC COMMENT

Oral public comment was received at the July 25 Planning Commission meeting against the proposed re-designation of the vacant lot at the corner of Park Street and Bendigo Boulevard from POSPF to Commercial, citing the relationship of this property to Gardiner Weeks Park and the Snoqualmie Valley History Museum, including providing public parking for these uses and a trail that connects through the property to these uses. The citizen also requested that the Parks Commission consider and make a recommendation on the zoning amendment affecting this property prior to a Planning Commission recommendation, as it involved property that could be considered a part of Gardiner Weeks Park. (The recording of the public comment is available on the July 25 Planning Commission meeting audio, available on the City's website.)

Written public comment, consisting of emails from two individuals, was received during the Notice of Application comment period. Both comments were in support of the amendments to the land use designation and zoning of the vacant lot adjacent to the Moose Lodge. The written comments are provided in the attached exhibit C.

D. RECOMMENDATION

Staff Recommendation

The proposal is consistent with the comprehensive plan and development regulation amendment procedures in NBMC 20.08, and is consistent with the recommendations of the Downtown Master Plan regarding future potential use of the vacant city lot at the corner of Sydney and North Bend Way. Staff recommends approval of the amendments as provided in section A above, subject to developing standards for the sale or development of the vacant lot at the corner of Sydney and North Bend Way to address the availability of public parking to be incorporated into the design of any development of the lot.


Mike McCarty, Senior Planner

8/1/2013
Date

Planning Commission Recommendation

Based on the findings above the North Bend Planning Commission recommends **APPROVAL/DENIAL** of the proposed amendments as provided in section A above, subject to developing standards for the sale or development of the vacant lot at the corner of Sydney and North Bend Way to address the availability of public parking to be incorporated into the design of any development on the lot.


Planning Commission Chair

8/9/2013
Date

Exhibits:

- A. City of North Bend Comprehensive Plan Land Use Designation Map (Figure 1-1), showing properties to be revised
- B. City of North Bend Zoning Map, showing properties to be revised
- C. Written Comments (2 emails)

Exhibit A

**City of North Bend
Comprehensive Plan 2007
Land Use Designation Map
Figure 1 - 1**

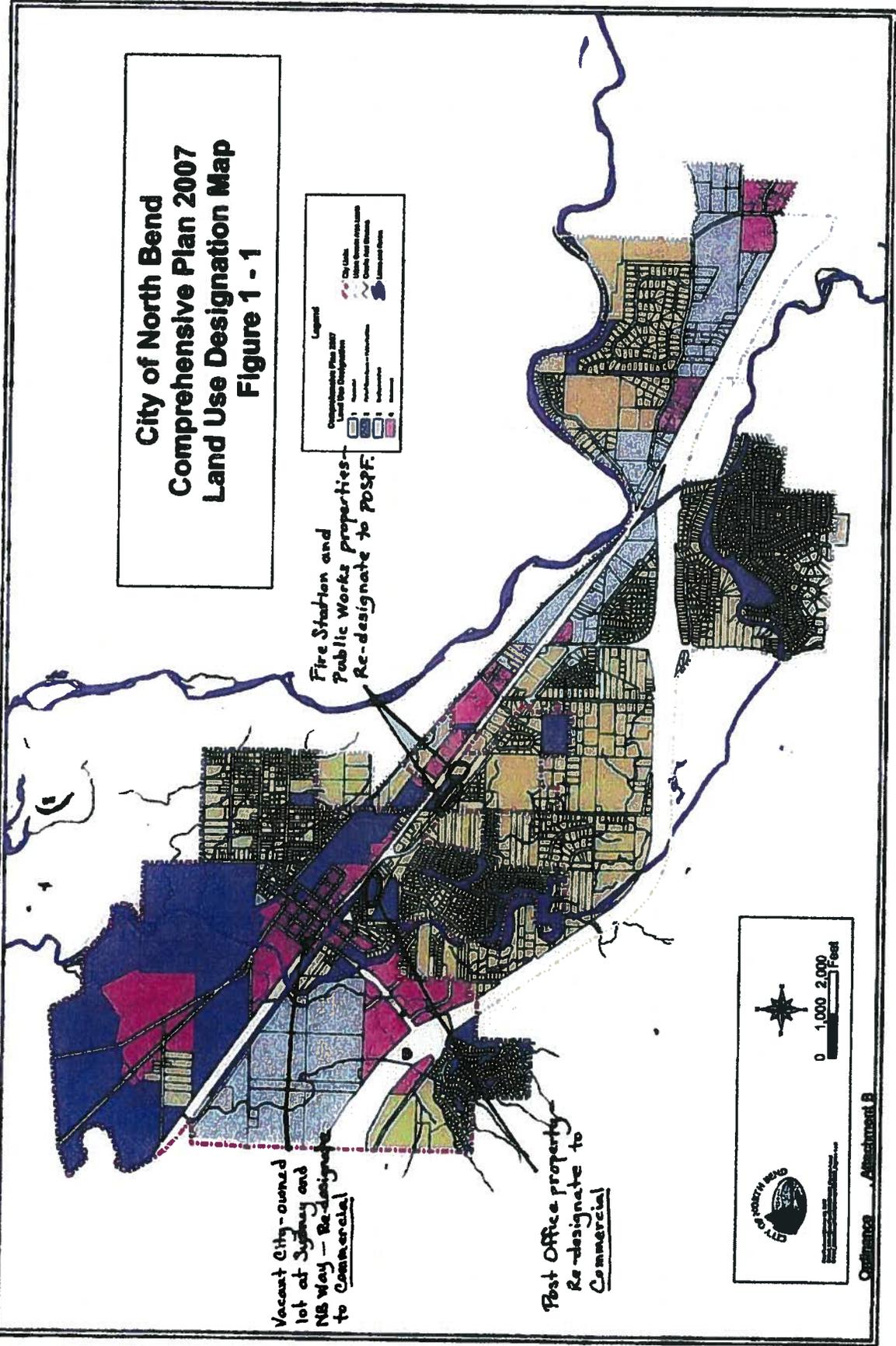


Exhibit C (1 of 2)

Mike McCarty

From: Jamie Burrell
Sent: Tuesday, July 02, 2013 9:46 PM
To: Gina Estep
Subject: FW: SEPA DNS Rezone

From: Jamie Burrell
Sent: Tuesday, July 02, 2013 8:59 PM
To: Tom Meagher
Subject: FW: SEPA DNS Rezone

Comment on the rezone misc parcels

From: jayuchida [jayuchida@comcast.net]
Sent: Friday, June 28, 2013 5:12 PM
To: Jamie Burrell
Subject: SEPA DNS Rezone

To The Commission:

We are the owners of two parcels on the same block as the vacant lot next to the Moose Lodge. We are in full support of the City Planning Commission's proposal to rezone the subject property to Commercial. It would be a step in the right direction of improving the viability of the downtown core of North Bend.

Bartells' recent decision to locate in the downtown area is a recognition by a major retailer that there is more to North Bend than the factory outlet stores. Rezoning this lot will help stimulate more building in the City.

The use of the vacant lot as a public park is unnecessary and a waste of resources now that the City has Torgeson Park. Sell the vacant land and spend the money on Torgeson Park improvements.

Sincerely,

Jay Uchida and Maria Ackley

Exhibit C (2 of 2)

Mike McCarty

From: Thom Madani <Thomas.Madani@microsoft.com>
Sent: Thursday, July 11, 2013 8:46 PM
To: Mike McCarty
Subject: Regarding Notice of SEPA Determination of Nonsignificant (DNS) and Public Hearing

Hi Mike,

I received the notice entitled to: **Regarding Notice of SEPA Determination of Non-significant (DNS) and Public Hearing.**

From what I understand, I received the notice since my property is located within 300 feet of the impacted area (vacant land next to the Moose Lodge). I own the building adjacent to the Moose Lodge, my property is located at **114 Sydney Ave NE, North Bend WA, 98024.**

I am unable to attend tonight's meeting. With that said, I would like to voice my support on the proposal to re-designate from POSPF to Commercial on the Comprehensive plan Land Use Map, and re-zoned from POSPF to Downtown Commercial.

In addition, I would consider selling my property if development of the area is pursued. Please feel free to contact me with any questions or comments.

Thank you,

Thom Madani | tmadani@microsoft.com | (425) 435-6688

RESOLUTION 1637

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING ADOPTION OF PROPOSED AMENDMENTS TO THE PARKS ELEMENT OF THE NORTH BEND COMPREHENSIVE PLAN IN THE 2014 COMPREHENSIVE PLAN AMENDMENTS

WHEREAS, the North Bend Parks Commission, at their September 25, 2013 meeting, recommended amendments to the Parks, Recreation, Wildlife Habitat and Open Space Element of the Comprehensive Plan (hereto forth referred to as the Parks Element), consisting of amendments to the Parks Capital Facilities Program; and

WHEREAS, the North Bend Planning Commission reviewed and considered the Parks Commission's recommendation at their September 26 and October 24, 2013 meetings and held a public hearing on the amendments on October 24, 2013; and

WHEREAS, in accordance with WAC 365-196-360, a Notification of Intention to Adopt Comprehensive Plan Amendments was sent to the State of Washington Department of Commerce and to other state agencies on October 9, 2013, for a required 60-day review period; and

WHEREAS, a SEPA Determination of Non-Significance was issued for the proposed amendments on October 9, 2013; and

WHEREAS, the Community and Economic Development Council Committee reviewed the amendments to the Parks Element at their October 15, 2013 meeting and recommended approval, subject to a Planning Commission recommendation; and

WHEREAS, on October 24, 2013, following the public hearing, the Planning Commission recommended approval of the proposed amendments, as provided in the Community and Economic Development Staff Report and Planning Commission Recommendation dated October 9, 2013; and

WHEREAS, the Council finds that the City followed the procedural requirements of NBMC Chapter 20.08 to notify and advertise the proposed amendments to the public and to interested agencies, and that the Planning Commission and City Council subsequently considered all written and verbal comments received during their respective processes; and

WHEREAS, WAC 365-196-640(3) provides that all proposed amendments to the comprehensive plan must be considered by the governing body concurrently and may not be considered more frequently than once every year; and

WHEREAS, the next available comprehensive plan amendment cycle is in 2014, and therefore the proposed amendments may not be adopted until such time;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Approval of Proposed Amendments: The City Council supports approval of the amendments to the Parks Element of the North Bend Comprehensive Plan as provided on the attached Exhibit A (consisting of pages 29-33 of the Parks Element).

Section 2. Authorization of Comprehensive Plan Amendments: The City Council hereby authorizes the amendments described in Section 1 to be included in the 2014 Comprehensive Plan Amendment Docket, to be effective upon adoption via ordinance together with the remainder of the 2014 Comprehensive Plan amendments.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 19TH DAY OF NOVEMBER, 2013.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Effective: November 19, 2013
Posted: November 20, 2013

Susie Oppedal, City Clerk

VIII: CAPITAL FACILITIES PROGRAM

Overview:

The recommended Parks Capital Facilities Program has been developed by staff and the North Bend Parks Commission in consideration of the level of service standards identified in this plan and in consideration of the public input provided to the Parks Element update process, including survey information, and the public workshop.

It is recommended that the Park Capital Improvement Program be reviewed annually in conjunction with revenue projections and that necessary adjustments be made if park revenue projections increase or other fund sources become available.

Project Descriptions:

Downtown Civic Plaza: A public plaza, associated with the proposed City Hall and Civic Center in the downtown core, will provide space for public events such as art walks, farmer's markets, and outdoor concerts.

Torguson Park Landscaping w/ Picnic Tables: To compliment the recreational fields, supplemental landscaping will be provided to enhance/beautify the park. Areas to be landscaped include around the soccer field, the tot-lot area, the climbing structure area, in and around the parking lot, and along the Snoqualmie Valley Trail. In areas of lawn or along trails, picnic tables will be provided.

Torguson Park Backstops and Training Area: The backstops and fencing for the 5 most westerly ball fields needs to be replaced and larger canopies placed over the home plate. Training areas would also be added around the baseball fields consisting of batting and pitching cages of a more permanent nature, including fencing and netting.

Torguson Park New Restroom and Concession Building: A new restroom and concession building should be built within the center of the four western quad fields to enable easier restroom access for ballfield users.

Torguson Park Trail: A multi-purpose loop trail is to be constructed through the park, providing connection to the Snoqualmie Valley Trail and the various entrances to the park, consistent with the layout established in the 2010 Torguson Park Master Plan. The trail is to be constructed of asphalt to allow the use of bicycles, strollers, wheelchairs, etc. A later phase of the project should also include seeking an easement across the adjacent business property to provide an improved pedestrian connection to align with Orchard Drive SE to complete the "Downtown Loop" envisioned in the Downtown Master Plan.

Torguson Park Plaza and Sidewalk Improvements: At the northern end of the parking lot, a concrete or brick paver plaza area should be provided, with concrete sidewalks connecting to the restroom building, parking lot, tot lot and the proposed picnic shelter, consistent with the conceptual design in the 2010 Torguson Park Master Plan.

Torguson Park Picnic Shelter: A picnic shelter is to be provided in the park for family and group events and gatherings, as are often associated with athletic fields. The shelter would be located at the northern end of the parking lot, immediately east of the tot lot and proposed plaza area. The shelter should include basic picnic facilities such as tables, barbeque stands, water faucets (or sinks) and lighting.

Torguson Park Turf Improvements: The existing westerly five fields are to be refurbished and upgraded to a sand base to eliminate trip hazards and uneven surfaces through stripping, re-grading, re-seeding, etc. and the fields installed with irrigation and drainage systems.

Torguson Park Skate Park Improvements: The existing skate park is a popular and heavily used facility, and should be expanded or improved with additional features and facilities to accommodate increased usage from new growth.

E.J. Roberts Park Bridge: A new pedestrian bridge is needed to replace the existing bridge, which has deteriorated beyond the ability to provide repairs.

E.J. Roberts Park Picnic Shelter: A picnic shelter is needed for this popular park for group picnic events. The shelter would be constructed similar to the one proposed for Torguson Park.

Tanner Trail Right-of-Way Acquisition: Tanner Trail, Phase 1 was constructed in 2002 and begins at Bendigo Blvd, proceeds along the abandoned BN Railroad right-of way, and terminates at Orchard Street. Additional BNR right-of-way is available out to 436th Avenue SE for further extension of the trail system and interconnection with the Snoqualmie Valley Trail. This will complete the preservation of the proposed trail system through the southerly portion of the city with links to regional facilities. This system will also provide for the pedestrian needs along the south side of North Bend Way in lieu of requiring a sidewalk next to or close to the street on that side.

Tanner Trail Construction: A paved or gravel trail will be constructed within the Tanner Trail right-of-way adjacent to North Bend Way, described above.

Tanner Trail / Snoqualmie Valley Trail Junction Improvements: The junction of the Snoqualmie Valley Trail, Tanner Trail, and North Bend Way is an important junction for both local and regional trail users and is also an important corridor for elk and other wildlife crossing under I-90 at this location. Improvements would be made to make the Snoqualmie Valley Trail crossing of North Bend Way more visible and safe for pedestrians and motorists. A small parking lot would be built for trail users with formalized trailheads to the Snoqualmie Valley Trail and Tanner Trail. Native landscape improvements would be provided to enhance wildlife cover for the crossing area. The project is anticipated as a joint city/King County project. Additional planning and coordination with King County needs to be done and a site plan developed with cost estimates before this facility can be formally placed in the capital facilities plan.

Dahlgren Family Park:

Upon dedication to the City, the 2.5-acre park to be dedicated through the Tanner Landing Master Plan Overlay District Regulations in NBM 18.10.025 should be developed with park and picnic facilities. Park facilities should be designed consistent with that provided by King County in the adjacent Tanner Landing Park such that the two adjacent parks work as one cohesive whole.

Tollgate Farmhouse Restoration: Purchased as part of the Tollgate Farm, the farmhouse is in need of repair and restoration. In 2003, a restoration plan was developed by Tonkin Hoyne Architects. The first item to be addressed was the sealing of a large hole in the roof and subsequent re-roofing of the entire structure. This prevented water from entering through the top of the house. However, additional exterior improvements are needed to keep the structure sound. These include reconstructing the foundation, repairing the outside, painting the exterior, and installing windows and secure doors. Further phases include interior reconstruction and exterior entry improvements.

Tollgate Farm On-Site Trails & Pasture Fencing: The Master Plan for Tollgate calls for the development of a trail system in the Central Meadow that would link to roadway sidewalks on North Bend Way and SR202. This trail would eventually tie into a connection to the Snoqualmie Valley Trail. Additionally, fencing would be installed along the trail to keep separation between pedestrians and livestock allowed to graze in the fields.

Tollgate Farm Athletic Fields, Play Structure, Trees: Per the Tollgate Master Plan, the athletic fields and tot lot would be graded and constructed at the west end of the central meadow. Work would include necessary backstops, fencing, ground preparation, seeding, irrigation, drainage and bleachers. A tot lot would also be developed to accommodate the younger crowd, including a slide, swings, climbing facilities, etc. Additionally, the heirloom apple trees along North Bend Way would be restored through proper pruning, thinning, fencing for protection, and clearing of the areas around the trees.

Tollgate Water & Sewer Extensions/Connections: To adequately serve the site, water and sewer mains and services need to be extended to the site. The extension would proceed under the railroad tracks and under West North Bend Way to the Tollgate site. The main would then proceed east along West North Bend Way and tie into the existing main at the intersection of West North Bend Way/Sydney Avenue. Sewer would be extended from the main to be installed on NW 8th Street and then proceeding along West North Bend Way to the site of the bathrooms at the Tollgate athletic fields. The utility extensions are anticipated to occur through a ULID for both water and sewer, formed to assist in financing the facilities in the general area with other contributing property owners.

Tollgate Farm Restrooms, Parking, & Picnic Area: To support the proposed athletic fields and make the Tollgate farm area more accessible to the general public, a parking lot will be constructed per the Tollgate Master Plan. This will include grading, base construction, paving, curb, gutter, drainage, runoff controls and treatment, striping, signage, landscaping, bike racks, gating, and other amenities to compliment the athletic fields. Restrooms and maintenance building would also be built to accommodate the players and attendees to the park and to store maintenance equipment/supplies. The restrooms would be served by City water and sewer. Picnic facilities around the athletic area would be developed with the inclusion of benches and tables.

Tollgate Farmstead Improvements: The Tollgate Farm Master Plan anticipates the area around the Tollgate Farmhouse as an interpretive and multi-use farmstead area that can be used as a venue for activities and events such as the North Bend Farmers Market, weddings and other small-scale outdoor gatherings. The site is also anticipated for a pea-patch garden and/or demonstration garden and a small interpretive apple orchard. Additional facility planning and a site plan with cost estimates needs to be developed before this can be formally added to the Capital Facilities Plan.

Pedestrian Trail from City to Tollgate Farm: From the west end of the West North Bend Way bridge over the South Fork Snoqualmie River, along West North Bend Way, and then to the driveway entrance to the parking lot, with an intermediate connection to the on-site trail, a sidewalk would be extended for pedestrian access from downtown to the farm/athletic fields. Work would include approximately 3,300 linear feet of curb, gutter, landscape strip, street trees, and 8-foot wide concrete sidewalk for the entire length of the improvement.

Meadowbrook Farm Trail, Phase 2 Snoqualmie Valley Trail Connector: A trail would be constructed east across Meadowbrook Farm from the Meadowbrook Farm Interpretive Center building and Boalch Avenue Trail to the Snoqualmie Valley Trail. The trail would provide connectivity of the interpretive center to the heavily used Snoqualmie Trail, and would allow fieldtrips and groups at the Interpretive Center access to the trail to the big cedar, located east of the Snoqualmie Valley Trail.

Meadowbrook Farm Elk Viewing Area and Swing Rock Interpretive Site: The site of the original Meadowbrook Barn, adjacent to the Swing Rock west of SR-202 and just south of the city limit line between North Bend and Snoqualmie, is anticipated as an area for elk viewing and interpretation of the Swing Rock, a location of great significance in the origin story of the Snoqualmie Tribe, and interpretation of the history of the Meadowbrook Dairy Farm. The project is anticipated as a joint project of the Cities of North Bend and Snoqualmie, the Snoqualmie Tribe, and the Meadowbrook Farm Preservation Association. Improvements anticipated include a small parking area, elk viewing platform (likely atop the old silo foundation), a trailhead

crossing under SR-202 through the existing cattle underpass, interpretive signage, and native landscape improvements. Additional facility planning and a site plan are needed with cost estimates before this facility can formally be placed in the capital facilities plan.

William H. Taylor Park Improvements: A new platform/track crossing and park entry would be constructed at the terminus of Ballarat Avenue, in association with the proposed right-of-way improvements at that location, creating a more visible and direct access to the depot from Ballarat and McLelland, and improving pedestrian access and safety. In association with the new crossing, the platform plaza area would be extended from the depot to the new crossing, and the landscaping in this area (west of the depot) would be reconfigured to improve visibility and create a terminal viewpoint into the park from Ballarat Avenue (providing a better connection to the downtown). The proposal would include a veteran's memorial flagpole in association with the landscape improvements. Improvements to the park would also be made at Park Street to improve pedestrian access and safety and better link the park with Si View Park to the south.

Additionally, a covered outdoor enclosure may be constructed, immediately east of the terminus of the existing tracks and within the railroad corridor, to house a locomotive or other railroad artifact, similar to the log pavilion in Snoqualmie. The Northwest Railway Museum would secure the funding for the design and installation, and be responsible to maintain the railroad-related enclosure. The design shall be approved by the City. The City and the Northwest Railway Museum would partner on funding the platform and outdoor enclosure improvements, and would enter into an ILA agreeable to both parties for the outdoor enclosure.

North Bend Way Roundabout Re-landscaping: Terracing would be added to the roundabout to create a stepped, naturalistic landscape design in the roundabout, reflecting North Bend's mountain-culture atmosphere. Project components would include placing granite boulders, areas of river cobble, terraced mounds of soil, and additional trees and shrubs characteristic of the Cascade Mountains.

Riverfront Park Improvements and South Fork Snoqualmie Right Bank Levee Trail: Improvements to Riverfront Park would be minimal in nature to maintain the natural, forested character of the site. Small clearings could be made to provide spaces for picnic tables, a restroom, a minimal parking area, and small-scale recreational features such as trail exercise stations or other such low-impact but interactive installations. In addition, improvements would be provided to formalize the trail along the levee between Bendigo Boulevard and W. North Bend Way, including graveling, bollards, signage, and benches. Additional facility planning and a site plan are needed with cost estimates before this facility can be formally placed in the capital facilities plan.

South Fork Snoqualmie Left Bank Levee Trail: The existing informal levee trail between Bendigo Boulevard and W. North Bend Way would be improved with a gravel surface. In addition, approximately 500 feet of new trail would be constructed around the private property on the southern end of the route.

Table 5: Six Year Parks Capital Facilities Plan 2014-2019

Project Name	2014	2015	2016	2017	2018	2019
1 Tollgate Farm On-site Trails**	\$196,300					
2 S. Fork Right Bank Levee Trail (Bendigo - N. Bend Wy)	\$52,185					
3 Tanner Trail construction (see acquisition below)	\$159,339					
4 Meadowbrook Trail Phase II (Int.Cir. to SVT)	\$200,837					
5 Tollgate Farm to Downtown Trail	\$29,000					
6 S. Fork Left Bank Levee Trail (Bendigo - N. Bend Wy)	\$49,559					
Park Improvements:						
1 Roundabout Relandscaping	\$28,000					
2 Tollgate Park Landscaping and picnic tables	\$50,000					
3 Torquon Park On-Site Paved Trail (2,800 LF) with fitness stations	\$46,950					
4 Tollgate Park Plaza Area and Sidewalk Improvements	\$24,000					
5 Torquon Park Beachtops and Training Areas	\$14,260					
6 Torquon Park New Restroom/Concession Building	\$259,500					
7 Torquon Park Picnic Shelter	\$75,000					
8 Torquon Park Sand-based Turf Improvements - 5 fields	\$2,120,490					
9 William H. Taylor Park - Landscaping, Monuments and Platform Improvements	\$54,400					
10 William H. Taylor Park - Display Shelter and associated track improvement	\$200,000					
11 El Roberts Park Picnic Shelter	\$75,000					
12 El Roberts Park New Pedestrian Bridge	\$35,000					
13 Downtown Civic Plaza Construction	\$1,550,000					
14 Tollgate Farmhouse Restoration	\$50,000					
15 Tollgate Water and Sewer Extensions/Connections	\$40,000					
16 Tollgate W. North Bend Way Entry Center Turn Lane	\$383,870					
17 Tollgate Farm Parking Area Phase 2 (including landscaping)**	\$249,900					
18 Tollgate Entry (sign and landscaping)**	\$19,000					
19 Tollgate Farm Athletic Fields	\$628,650					
20 Tollgate Farm Play Structure**	\$49,250					
21 Tollgate Farm Picnic Area**	\$17,550					
22 Tollgate Farm Restroom/Maint. building and Plaza**	\$216,250					
23 Tollgate Farm Pasture Fencing**	\$46,100					
24 Oatlegren Family Park	\$500,000					
25 Torquon Park Skate Park Improvements						
26 Torquon Park Esplanade and Ped. Entry Improvements						
27 Riverfront Park Improvements						
28 Tollgate Farm Farmstead Development						
29 Tanner Trail (SVT) Junction Improvements						
30 Elk Viewing and Swing Rock Interpretive Area						
Park and Open Space Land Acquisition						
1 Tanner Trail RW Acquisition (CF Way to Sro Vly Trail)	490,920	4,500,000				
2 Land for Downtown Civic Plaza	750,000					

TOTALS (excluding Tollgate MPOB/and-Funded Facilities):	RECALCULATE	GRANT KEY
1/2 of Totals (assuming 1/2 obtained from grants)	\$12,652,101	\$2,382,183
IF - Impact Fees	\$607,605	\$1,911,093
TL - City Share of King County Trails and Open Space Levy		
MPOB - St. View Metropolitan Parks District Bond		
SO - Sports Organizations		
G - Grant		
DM - Development Mitigation Contribution		
REET - Real Estate Excise Tax		
	\$2,382,183	\$1,911,093
	\$1,364,707	\$428,120
	\$682,354	\$176,355

** Tollgate Farm projects marked with an asterisk are included in the 2010 St. View MPOD park improvement bond. St. View will pay for all facilities, and will be refunded by the City for 1/2 of the improvement cost. The City is also contributing 1/2 of a dedicated contribution of park impact fee revenue during construction.

RESOLUTION 1649

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING ADOPTION OF PROPOSED AMENDMENTS TO THE NORTH BEND COMPREHENSIVE PLAN LAND USE MAP, NORTH BEND ZONING MAP, AND NORTH BEND MUNICIPAL CODE 18.10.050 AFFECTING PROPERTIES ON SOUTH FORK AVENUE SW, IN THE 2014 COMPREHENSIVE PLAN AMENDMENTS

WHEREAS, on December 14, 2012, property owner Century Link Communications submitted a docket request to amend the land use designation of its property at 12727 South Fork Avenue SW from Residential to Commercial, and the zoning from Low Density Residential (LDR) to a commercial zone; and

WHEREAS, the Planning Commission, in its annual Comprehensive Plan and Zoning Docketing process took up Century Link's docket request for further consideration in 2013, which included adding the adjacent property to the proposed amendments at 12805 412th Ave. SE; and

WHEREAS, NBMC Sections 20.08.070 through 20.08.110 identify criteria for consideration of proposed zoning amendments, including evaluating the proposed amendments for conformance to the Comprehensive Plan and development regulations, evaluating impacts of the proposed amendments on the City and on surrounding properties, and evaluating the environmental, economic and cultural impacts of the proposed amendments; and

WHEREAS, staff prepared a report to the Planning Commission evaluating the proposed zoning amendments based on the above-referenced criteria, and found the proposed amendments consistent with the criteria, as described in the Community and Economic Development Staff Report attached as Exhibit C (Staff Report); and

WHEREAS, the proposed amendments were submitted to the Washington State Department of Commerce for review on April 23, 2013; and

WHEREAS, a SEPA Determination of Non-Significance was issued for the proposed amendments on April 24, 2013; and

WHEREAS, the North Bend Planning Commission reviewed and considered the Staff Report and proposed amendments at its April 25 and May 9, 2013 meetings and

conducted a public hearing on May 9, 2013 at which the Planning Commission received and considered public comment; and

WHEREAS, on May 9, 2013, following the public hearing, the Planning Commission recommended denial of the proposed amendments until such time that the property annexes into the City, finding that the proposed amendments were not in the public interest after considering public comment received and considering that the proposal is within the Urban Growth Area but outside of the current City limits; and

WHEREAS, the City Council discussed the proposed amendments at its October 22, 2013 Workstudy Meeting, with Councilmembers expressing that annexation should precede the Land Use/Zoning amendments; and

WHEREAS, the City Council denied the proposed amendments at its November 19, 2013 meeting, and

WHEREAS, the Community and Economic Development Council Committee at its February 25, 2014 meeting, considered an inquiry by Century Link Communications for re-consideration of the proposed amendments should Century Link also seek annexation of the property simultaneously, and

WHEREAS, after discussing the purpose and process of UGA pre-annexation zoning, the Community and Economic Development Council Committee was amenable to the idea of addressing the Comprehensive Plan Land Use Designation and Zoning prior to an annexation and requested that the topic be taken back to the Planning Commission for reconsideration in an effort to keep this topic on track with all the other 2014 Comprehensive Plan amendment dockets slated to be addressed in May by ordinance; and

WHEREAS, the Planning Commission re-considered the issue at its March 13 and March 27, 2014 meetings, and following a public hearing on March 27, recommended approval of the amendments as provided in the attached Planning Commission Recommendation attached as Exhibit D (Planning Commission Recommendation); and

WHEREAS, Concurrency as required per NBMC 20.12.030 for a comprehensive plan land use re-designation or rezone cannot be adequately evaluated without a specific associated land use proposal, and because impacts resulting from development are evaluated at the time of development application and are the responsibility of the applicant proposing the development, the City has deferred detailed concurrency review until the time of development application pursuant to NBMC 20.10.030(A)(2) to ensure a thorough analysis of the impacts to City services and application of appropriate mitigation measures; and

WHEREAS, the City Council finds that the City followed procedural requirements of Chapter 20.08 NBMC to notify and advertise the proposed amendments to the public and to interested agencies, and that the Planning Commission and City Council subsequently

considered all written and verbal comments received during their respective processes;
and

WHEREAS, WAC 365-196-640(3) provides that all proposed amendments to the Comprehensive Plan must be considered by the governing body concurrently and may not be considered more frequently than once every year;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Approval of Proposed Amendments: The City Council supports approval of the amendments to the North Bend Comprehensive Plan Land Use Map as depicted on the attached Exhibit A, and the North Bend Zoning Map as depicted on the attached Exhibit B.

Section 2. Authorization of Comprehensive Plan and Zoning Amendments: The City Council hereby authorizes the amendments described in Section 1 to be included in the 2014 Comprehensive Plan Amendment Docket, to be effective upon adoption by ordinance together with the remainder of the 2014 Comprehensive Plan and Zoning amendments.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 6TH DAY OF MAY, 2014.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

Effective: May 6, 2014
Posted: May 7, 2014

ATTEST/AUTHENTICATED:

Susie Oppedal, City Clerk

City of North Bend
Comprehensive Plan 2007
Land Use Designation Map
Figure 1 - 1

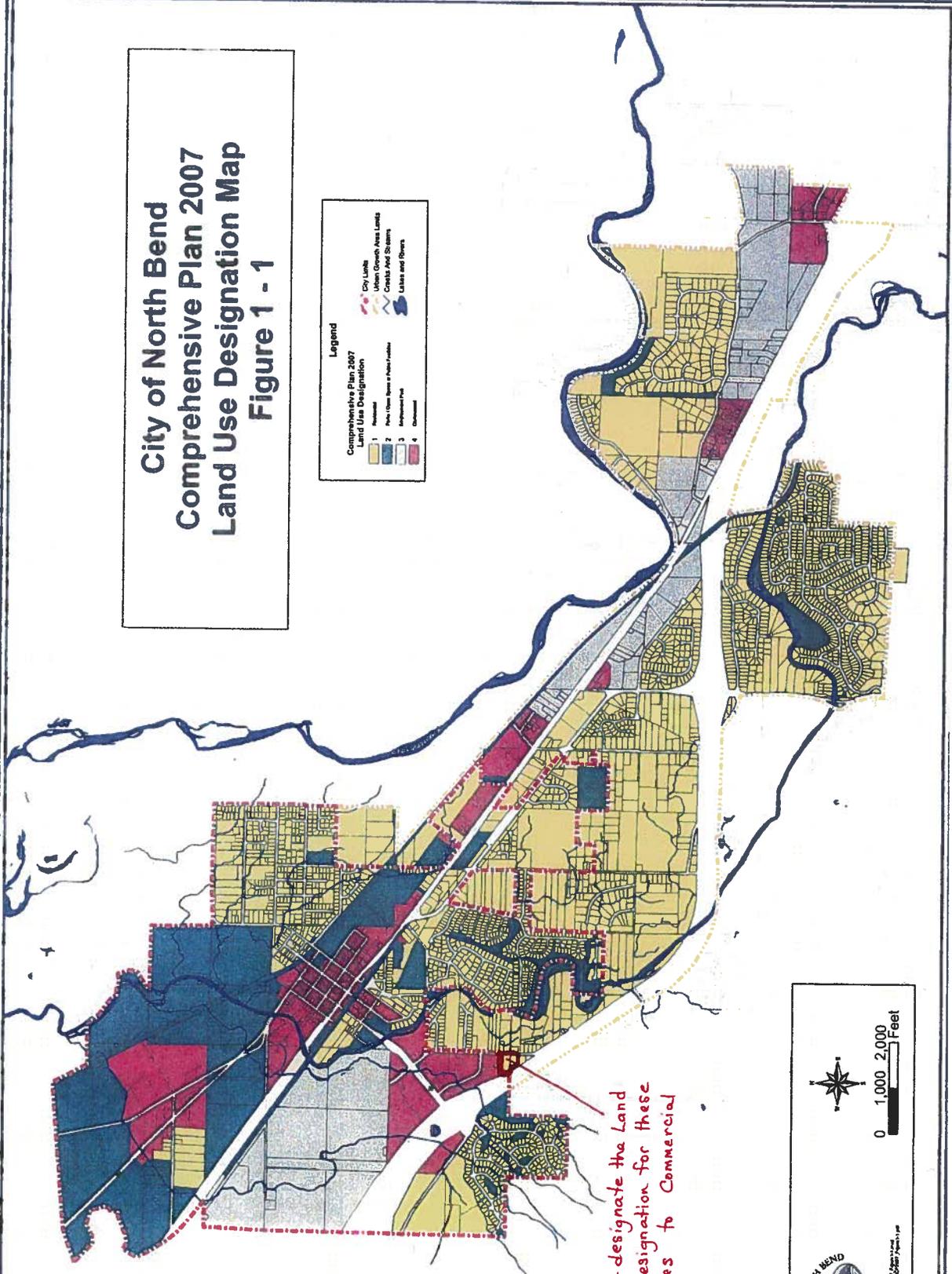
Legend

**Comprehensive Plan 2007
Land Use Designation**

- 1 Residential
- 2 Urban Growth Area
- 3 Industrial
- 4 Commercial

City Limits

- Urban Growth Area Limits
- City Limits
- County Road 20
- Lakes and Rivers



*Re-designate the Land
Use Designation for these
properties to Commercial*

CITY OF NORTH BEND

Resolution 1697, EXHIBIT A

0 1,000 2,000 Feet

Exhibit C
Original Staff Report and
Prior PC Recommendation



**Community and Economic Development Department Staff Report
and Planning Commission Recommendation**

Application: Comprehensive Plan Land Use Designation and Zoning Map Amendment for
12727 and 12805 412th Ave. SE

Date: June 3, 2013

Proponent (via docket process): Century Link Communications, Owner of 12727 412th Ave SE

Summary of Proposed Comprehensive Plan Land Use Designation and Zoning Map Amendment Request: On December 14, 2012, the proponent submitted a docket request to re-designate the Comprehensive Plan land use designation for their property at 12727 412th Ave. SE from Residential to Commercial, and re-zone the property accordingly to a zone that would allow commercial uses. (See Docket Request attached as Exhibit 1.) The property contains an existing commercial building and is adjacent to other commercial development to the north in the Interchange Mixed Use zone. The applicant wishes to sell their property and market it for potential redevelopment for commercial uses. The Planning Commission took up the docket request at their January 10, 2013 meeting, adding it to the 2013 docket list for amendments to be considered this year (Docket #12).

In addition to the proponent's property, staff recommends including within the land use re-designation the property immediately adjacent to the south at 12805 412th Ave. SE, as it also contains an existing commercial building. Of note, the zoning for these two properties would not be effective until annexation. The area is currently outside of City limits within the Urban Growth Area.



Proponent's property at 12727 412th Ave. SE
(photos from King County Assessor's website)



Adjacent property to south at 12805 412th Ave. SE

SEPA: The proposed NBMC amendment is subject the State Environmental Policy Act (SEPA). A SEPA Determination of Non-Significance will need to be issued.

Public Hearing: A public hearing is required prior to a recommendation by the Planning Commission. The hearing will be scheduled for a future meeting.

Comprehensive Plan and Zoning Map Amendment Process: Comprehensive Plan and Municipal Code Amendments are governed by NBMC 20.08.070 through 20.08.110, evaluated in the staff report below.

A. PROPOSED AMENDMENTS:

I. Comprehensive Plan Land Use Map.

The underlying Land Use Designation on the Comprehensive Plan Land Use Designation Map (Figure 1-1) for 12727 412th Ave. SE (parcel 0923089060) and 12805 412th Ave. SE (parcel 1623089088) shall be revised from Residential to Commercial.

II. Zoning Map.

The City's Official Zoning Map shall be amended to identify an asterick on the parcels of 12727 412th Ave. SE and 12805 412th Ave. SE, and an asterick notation under IMU zone label within the map legend indicating the following language: "Special Performance Standards Apply to indicated parcels – see NBMC 18.10.050."

III. Creation of Performance Standards

NBMC 18.10.050, *Land Use Performance Standards*, Section 2.00 *Commercial* shall be amended to establish performance standards applicable to 12727 412th Ave. SE and 12805 412th Ave. SE as follows:

NBMC 18.10.050, section 2.00 Commercial:

2.00 Commercial	<p>a. All commercial uses must obtain a North Bend business license.</p> <p>b. To provide for increased safety for pedestrians and vehicles along North Bend Way, access shall be off existing secondary streets and/or alleys whenever feasible or via joint use driveways shared between multiple parcels. Driveways serving a single user should be avoided.</p> <p>c. Commercial development within the TLA shall meet the following requirements:</p> <p>i. Landscaping. Requires the transitional landscape area and landscaping as shown on Figure 1-5 of the North Bend Comprehensive Plan, Land Use Chapter.</p> <p>ii. Where a TLA affects more than 20 percent of the total gross area of any parcel, the TLA may be reduced such that not more than 20 percent of the total gross area of the parcel is affected by the TLA.</p> <p>iii. Permitted signs in these areas shall meet the performance standards for low-density residential zoning districts, provided front lighting is down-lit only.</p> <p>iv. Regional trail linkages are allowed within the TLA.</p> <p><u>d. The following land use limitations apply within the IMU zone at 12727 412th Ave. SE (parcel 0923089060) and 12805 412th Ave. SE (parcel 1623089088), due to the proximity of these properties to adjacent residential uses, further distance from the primary commercial core within the district, and location on a narrower dead-end street. On these properties, all uses permitted within the IMU Zone shall be allowed with the exception of the following, which will not be permitted:</u></p> <ul style="list-style-type: none"> • <u>All uses listed under the Automotive/Vehicular category (except Electric Vehicle Charging Stations</u>
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	<p style="text-align: center;"><u>accessory to a Principal Use)</u></p> <ul style="list-style-type: none"> • <u>Banks and Financial Institutions</u> • <u>Check Cashing/Quick Loans</u> • <u>Convenience Stores</u> • <u>Grocery/Supermarket</u> • <u>Hotels</u> • <u>All uses listed under the Restaurant category</u> • <u>Retail.</u> <p>e. Lighting shall be full-cut fixtures and comply with the performance standards identified in Section 8.40, Glare, and those in Chapter 18.34 NBMC.</p> <p>f. Unless otherwise noted below with specific uses storage of all associated uses (i.e. parts, equipment and service areas) should be screened from view using 15-foot-wide Type 1 landscaping and located to the side or rear of the development.</p> <p>g. Fences along street frontages shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated.</p>
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B. FINDING AND ANALYSIS:

I. Context of Neighborhood

Apart from the two properties subject to this proposed Land Use Designation and Zoning Map amendment request, 412th Ave. SE south of SW Mt. Si Boulevard is characterized by low-density residential development, with all properties to the south and east containing single-family homes.

The proponent's lot (12727 412th) is 74,052 square feet (1.7 acres) and contains a 9,985 square-foot commercial warehouse-type building that was constructed in 1968, which is currently vacant. The adjacent lot to the south (12805 412th) is 33,600 square feet (0.77 acres) and contains a 13,000 square foot telephone utility building constructed in 1956, owned by AT&T.

Because of the close proximity of the subject lots to I-90 and the adjacent commercial area to the north, these lots are likely to be attractive for commercial development.

To prevent potential commercial uses from impacting the overall residential character of the neighborhood, staff recommends only the two subject properties be included in the Land Use and Zoning re-designation.

Additionally, because the property is around the corner from most of the commercial development in the area and is part-way down a road that is generally more residential in character, applying the adjacent Interchange Commercial Zone to these properties as-is may not be appropriate, as it may allow too broad of a range of retail and service uses, some of which may be incompatible with the adjacent residential character due to higher levels of traffic and activity associated with these uses. As such, staff recommends adding performance standards in NBMC 18.10.050 limiting certain commercial uses that are otherwise allowed within the Interchange Commercial Zone on the subject properties. The amendments to NBMC 18.10.050 are identified below.

II. Impacts of Proposed Amendment

NBMC 20.08.070 and .080 requires that applications for municipal code amendments be evaluated for their environmental, economic and cultural impacts, as well as impacts to surrounding properties. These impacts are evaluated below.

- 1) **Environmental Impacts.** No significant environmental impacts are anticipated from amending the Land Use Designation and Zoning of the properties from Residential/LDR to Commercial/IMU. Regulations protecting critical areas, managing stormwater runoff, and controlling floodplain impacts are governed by the Critical Area Regulations in NBMC Title 14, and apply regardless of what type of development occurs on a site.
- 2) **Economic Impacts.** Revising the land use designation and zoning for these properties from residential/LDR to commercial/IMU may have a minor positive economic impact to the overall City and to affected properties. The City may benefit from additional area for limited commercial development.
- 3) **Cultural Impacts.** No significant cultural impacts are anticipated from amending the Comprehensive Plan Land Use Designation from Residential to Commercial, and the zoning from LDR to IMU, subject to the associated amendments to the performance standards limiting certain higher-intensity commercial uses otherwise allowed within the zone. The two properties subject to the proposed amendments already contain commercial buildings.
- 4) **Impacts to Surrounding Properties.** Potential impacts to surrounding properties include traffic and parking, noise, light glare, and visual scale and disharmony to adjacent uses, each evaluated below.
 - a. **Traffic and On-Street Parking.** A change in land use from residential to commercial and in zoning from LDR to IMU could allow increased residential density or commercial uses through redevelopment of the two subject properties, and correspondingly, more traffic to and from these properties than what would occur under the LDR zone. To limit higher intensity commercial activity and associated traffic, certain uses that are allowed within the IMU zone are proposed to be restricted on the subject properties, via the draft amendments to the performance standards in 18.18.150, below. Additionally, applications for any new development will be required to provide a traffic study identifying the impacts of traffic generated from the use to City streets, which the City uses to require appropriate mitigation measures, and provide a transportation impact fee, which the City uses to fund transportation improvements to maintain levels of service. New development would also be required to meet its parking requirement with off-street spaces and those on-street spaces only immediately in front of the property, and therefore should not impact on-street parking for adjacent uses.
 - b. **Noise.** The amendments could result in more commercial activity and/or households at build out and therefore the noise could increase. To minimize higher intensity commercial activity, certain uses that are allowed within the IMU zone are proposed to be restricted on the subject properties, via the draft amendments to the performance standards in 18.18.150, below. Additionally, all uses within the City are subject to the Noise Abatement and Control Regulations in Chapter 8.26 of the NBMC. These regulations establish maximum permissible noise levels measured at a property boundary at any time of the day, and establish a lower maximum between the hours of 10pm and 7am.
 - c. **Light glare.** Commercial or multi-family uses may include exterior lighting for parking areas and security around the perimeter of the building and/or property. This lighting, if not properly designed, could create light glare that could negatively impact adjacent

residences at night. The City of North Bend has adopted exterior lighting standards in NBMC Chapter 18.40 of the NBMC. All new development is subject to compliance with the exterior lighting standards, which includes requirements to provide full-cutoff lighting fixtures and limitations on light level spillover at property boundaries, with stronger limitations for uses within 50 feet of residential zones. As subject to these standards, light glare should not negatively impact surrounding properties.

- d. **Disharmony to adjacent uses.** Commercial developments may be considered out of scale or context to adjacent single family homes in the LDR zone. However, the existing properties already contain commercial buildings, and the street forms a district boundary between commercial and residential districts, as it does further to the north on South Fork Ave. SW and many other areas throughout the City. Additionally, the commercial design standards in NBMC 18.34.050 as well as the landscape regulations in NBMC 18.18 provide standards addressing the layout and appearance of proposed commercial developments, and include provisions to ensure compatibility to surrounding uses and buffering to less intense uses. Conformance to the design standards and landscape regulations should ensure visual compatibility with adjacent uses.

III. Compatibility of Proposed Amendment with North Bend Comprehensive Plan (NBCP)

In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the Comprehensive Plan.

The Comprehensive Plan on p. 20 of the LU Element, calls for minimizing and mitigating incompatible land uses between residential and non-residential properties by way of setbacks, landscaping, and design guidelines, and providing limitations on permitted uses in specific locations. This proposal as recommended by staff limits the types of commercial uses that could be of greater impact to the residential character of the area. As considered with the amendments to the performance standards limiting certain uses, the amendments are consistent with the Comprehensive Plan.

IV. Compatibility of Proposed Amendment with the North Bend Municipal Code (NBMC)

In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the North Bend Municipal Code. NBMC Section 18.10.020(D)(8) establishes the purpose of the IMU Zone as follows:

The interchange mixed use (IMU) zoning district is intended to provide a transitional area between interchange commercial (IC) zoning and residential (LDR, HDR) zoning. The zoning accommodates permitted residential, interchange commercial and other commercial development to minimize adverse impacts on and maximize compatibility with adjacent land uses. Buildings in the IMU district are expected to be smaller in scale than buildings in the IC district, with select businesses permitted to operate on a 16-hour basis or less, closed between 10:00 p.m. and 6:00 a.m.

As stated above, the IMU zone is intended as a transition between more intense commercial areas and adjacent residential areas. Further limiting the commercial uses within the IMU zone on the subject properties via the performance standards provided below will ensure compatibility of the uses to the residential character of the street, and be compatible with the limited access and visibility of this area and distance from the remainder of the commercial area to the north.

C. PUBLIC COMMENT

One written comment was received on the proposed amendments from property owner AT&T attached as Exhibit 4. At the May 9, 2013 public hearing on the proposed amendments, members of the public provided comment on the proposed amendments. Oral comments received at the hearing are reflected in the May 9, 2013 Planning Commission meeting minutes, attached as Exhibit 5. (Minutes summarize the comments, but for actual comments, please see the audio recording of the May 9 hearing, available on the City website.)

D. RECOMMENDATION

Planning Commission Recommendation

Following consideration of public comment received at the public hearing, the North Bend Planning Commission finds that the proposed amendments to the Comprehensive Plan Land Use Map, Zoning Map, and 18.10.050 Land Use Performance Standards, as provided in section A, above are not in the public interest. The Planning Commission recommends denial of the amendments until such time as the subject properties come into the city limits, at which time they could be re-considered.



Planning Commission Chair

6/13/2013
Date

Staff Recommendation

After consideration of the above findings and analysis, staff found that the amendments proposed to the Comprehensive Plan Land Use Map, Zoning Map, and NBMC 18.10.050 as provided in section A, above were consistent with the criteria established for Comprehensive Plan, Zoning Map, and Municipal Code amendments provided in NBMC 20.08. As such, staff provided a recommendation of approval to the Planning Commission at their May 9 meeting prior to the Planning Commission providing their recommendation.



Mike McCarty, Senior Planner

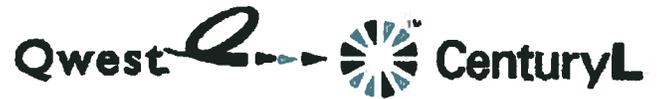
6/13/2013
Date

Exhibits:

- 1) Applicant's Docket Request
- 2) City of North Bend Comprehensive Plan Land Use Map, showing area of proposed amendments
- 3) City of North Bend Zoning Map showing area of proposed amendments
- 4) Written comment received from AT&T May 6, 2013
- 5) Planning Commission meeting minutes summarizing oral comments received at the hearing

Prior
recommendation.
See updated PC
recommendation
from 3/27/14
PC Meeting

EXHIBIT I



CenturyLink Corporate Real Estate
831 14th Street, Suite 103
Denver, CO 80202
DDN 720-578-4917

Susan Kitchen
Lead Property Administrator

December 14, 2012

VIA E-mail

Ms. Gina Estep
Mr. Mike McCarty
City of North Bend, WA

Re: CenturyLink property at 12727 412th Avenue SE, North Bend, WA

Ms. Estep and Mr. McCarty:

Thanks for your time on the phone this week. It was helpful to get some general information on the comprehensive plan amendment process.

As we discussed, CenturyLink would like to sell its property at the above referenced address. It has been brought to our attention that the underlying land use designation of 'residential' is unsuitable for most likely future uses in that location. The property is adjacent to other commercial uses and is within close proximity to the freeway. Thus, CenturyLink would like to request a change of the underlying land use designation to 'commercial'.

Please let me know if I can provide additional information.

Best regards,

Susan Kitchen

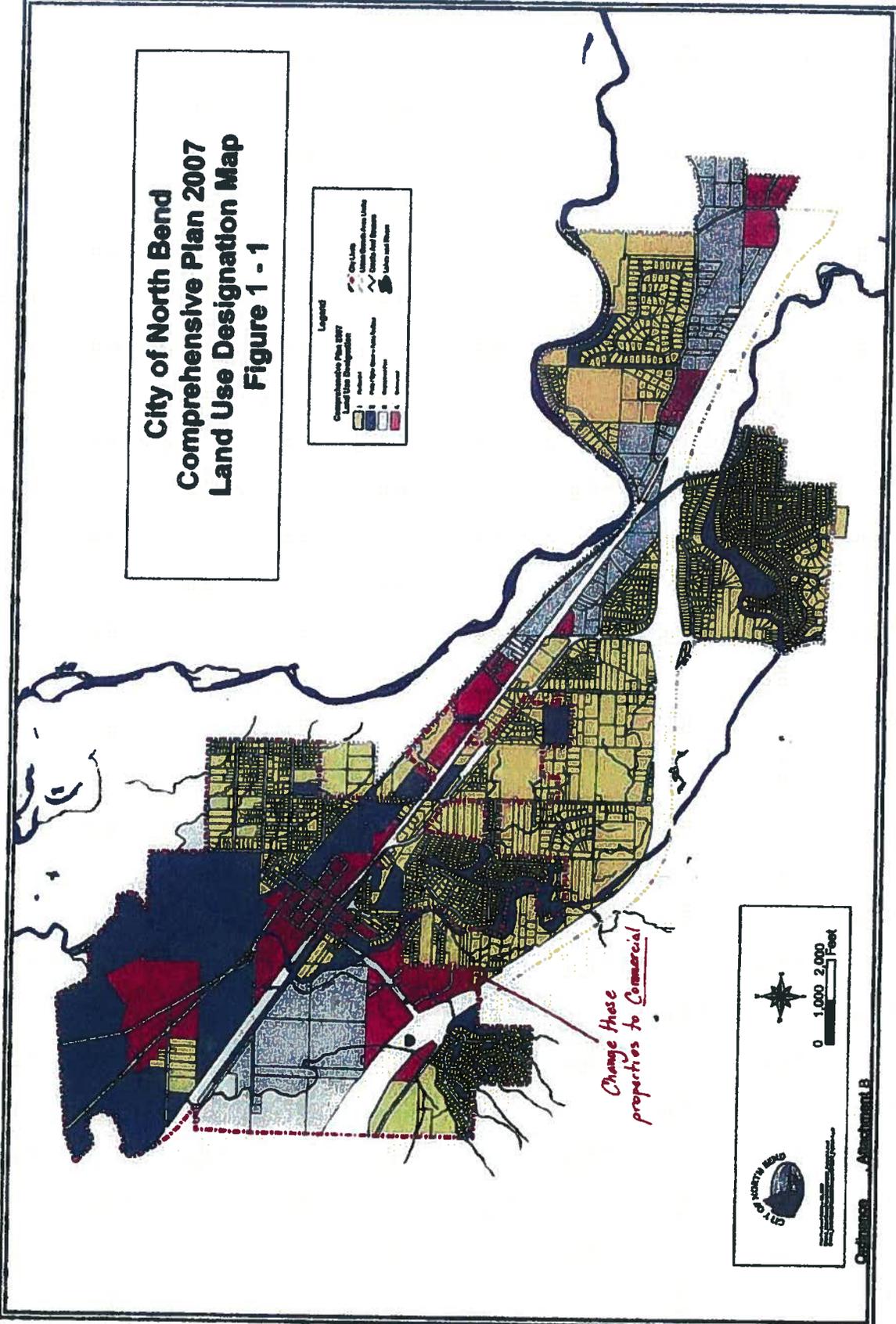
City of North Bend
Comprehensive Plan 2007
Land Use Designation Map
Figure 1 - 1

Legend

Comprehensive Plan 2007
Land Use Designation

- 1 Residential
- 2 Medium Density Residential
- 3 Single-Family Residential
- 4 Single-Family Residential
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- 100 Single-Family Residential

City Limits
Main Street
North Bend
Water and Sewer
Utility and Other



*Change these
properties to Commercial*

0 1,000 2,000 Feet

CITY OF NORTH BEND

Ordinance 1526, Attachment B

EXHIBIT 4

Mike McCarty

From: WICKES, JIM <jw3462@att.com>
Sent: Monday, May 06, 2013 3:30 PM
To: Mike McCarty
Subject: Rezoning Proposal for 12805 412th Ave SE, North Bend WA (Parcel 1623089088)

Mike:

Thanks for the follow up information on this proposal. I understand that the comprehensive plan designation for the referenced AT&T property would change to Commercial from current Residential classification and that the zoning would change to Interchange Mixed Use from Low Density Residential and that this should give AT&T greater land use flexibility with respect to its property. While the re-zoning allows for current AT&T use and office building uses, certain retail commercial uses that would generate high levels of vehicular traffic would not be allowed given the proximity to surrounding residential neighborhoods and other considerations.

AT&T has no objection to the proposed plan reclassification and rezoning of its referenced property.

Let me know if you have any questions.

Jim Wickes
Portfolio Manager
AT&T Corporate Real Estate/AT&T Alaska
Voice: 907-264-7343; Fax: 707-436-8568 (NEW)
505 E Bluff Drive MP292
Anchorage AK 99501-1100
jw3462@att.com

TEXTING and DRIVING... It Can Wait.

"This e-mail and any files transmitted with it are AT&T property, are confidential, and are intended solely for the use of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipient(s) or otherwise have reason to believe that you have received this message in error, please notify the sender and delete this message immediately from your computer. Any other uses, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited."

CITY OF NORTH BEND PLANNING COMMISSION MEETING MINUTES

Thursday, May 9, 2013 at 7:00 PM

City Hall Conference Room,

211 Main Avenue North, North Bend, WA 98045

(see comments related to this item under section 4c below.)

Please Note: A complete audio recording of this meeting is available on the City of North Bend website, www.northbendwa.gov, under Commissions - Planning Commission - Meeting Audio.

CALL TO ORDER

The meeting was called to order at 7:02 PM.

ROLL CALL

Planning Commissioners present: Brenden Elwood, Gary Fancher, Scott Lee, Jim Luckey, Rob McFarland (Chair), and Piper Muoio. Commissioner Bjorklund was unable to attend (notified ahead). City Staff present: Mike McCarty, Senior Planner.

AGENDA #2 MINUTES FROM APRIL 25, 2013 MEETING

Chair McFarland asked for a motion to approve the Minutes from the April 25, 2013 Planning Commission Meeting. Commissioner Elwood Motioned to Approve; Commissioner Lee seconded the Motion. The Motion was Approved, 5:0. *Note: Commissioner Luckey arrived at 7:05 PM and did not vote on the Minutes.*

AGENDA ITEM #3: PUBLIC COMMENT ON NON-AGENDA ITEMS (LIMITED TO 3 MINUTES PER PERSON)

Chair McFarland asked if any citizen wished to comment on a non-agenda item. No one from the audience offered to speak on any non-agenda item.

Chair McFarland gave an overview of the procedures for speaking on the record at tonight's public hearings.

Chair McFarland asked the audience if anyone had any objection to any of the Planning Commissioners taking part in the items under deliberation at tonight's meeting. No one spoke of any objection.

Chair McFarland asked the Commissioners if any of them has any financial or personal interest in any of the items up for deliberation. Commissioner Luckey said that he owns property in the area of Agenda Item #4b, Docket #5, and will not be voting on that item.

Chair McFarland asked that if any member of the Planning Commissioner has had any ex parte communication on any of the items up for deliberation at tonight's meeting, please state so.

AGENDA ITEM #4: PUBLIC HEARING --

4a. Amendments to Zoning Map and NBMC 18.10 concerning properties on the north side of E. North Bend Way between the Cedar Falls Way Roundabout and Thrasher Ave. NE (Don Torguson request -- Docket #2)

Mike McCarty gave a briefing on the Docketing Process. Mr. McCarty described Docket #2 specifically, and said that staff does recommend approval, subject to consideration of input from the public.

At 7:10 PM, Chair McFarland opened the Public Hearing on Docket #2. Chair McFarland read from the signup sheet of people who wish to speak at tonight's public hearing.

Please Note: Citizen comments may be heard in their entirety on the City of North Bend website, www.northbendwa.gov under: Commissions - Planning Commission - Meeting Audio.

1 Jim Graham, 681 E. North Bend Way, North Bend, WA 98045. Mr. Graham said he lives across the street (south
2 side) from Red Oak, and has lived there for 43 years. Mr. Graham said the neighborhood is Single Family now,
3 and he thinks it should remain that way.
4

5 Ewing Stringfellow, 43342 SE Mount Si Road/P. O. Box 393, North Bend, WA 98045. Mr. Stringfellow said he
6 owns property next to the area of the proposed rezone, and would like the rezone to be to Downtown Commercial,
7 extending the downtown core out to the new Fire Station.
8

9 Mr. McCarty said that Mr. Stringfellow had requested that his properties be part of Mr. Torguson's original
10 rezone request to High Density Residential.
11

12 Don Torguson, 790 East North Bend Way, P. O. Box 835, North Bend, WA 98045. Mr. Torguson is the citizen
13 who made this docket request. Mr. Torguson said sometime after he bought the property in the 1960's the area
14 was downzoned to Low Density Residential. Mr. Torguson said he believes commercial is the highest and best
15 use for the property, due to its location, traffic, and exposure.
16

17 Wendy Thomas, 721 E. North Bend Way, North Bend, WA 98045. Ms. Thomas said that she has mixed feelings
18 about development across the street. Ms. Thomas said that she was mystified on how her property was left out of
19 the ULID (Utility Local Improvement District). Ms. Thomas said that because she does not enjoy the same
20 benefits of those infrastructure improvements, she cannot enjoy the benefits of any transition from residential to
21 commercial uses. Her concern, since she will have to stay single family residential, is that the proposed zoning
22 change will potentially change the nature of her neighborhood.
23

24 Bryan Woolsey, 721 E. North Bend Way, North Bend, WA 98045. Mr. Woolsey said that he wanted to reiterate
25 what his wife (Wendy Thomas) had said, and that he is concerned about development occurring across the street
26 (from his residence).
27

28 Chair McFarland read the name Nancy Randall. Ms. Randall said that she did not wish to speak.
29

30 Travis Bridgman, 713 Ogle Ave. NE, North Bend, WA 98045. Mr. Bridgman said he is glad to see so many of
31 the public here at the meeting, and just wanted to listen and learn.
32

33 Greg Rothe, 129 Thrasher Ave. NE, North Bend, WA 98045. Mr. Rothe said he had very significant concerns.
34 Mr. Rothe said he looked at the city's Mission Statement and Branding Statement, and statements in the City of
35 North Bend Mission Statement stood out to him, namely maintaining the "rural character" of the community, and
36 does not think rezoning property commercial that is next to a park and residential properties maintains that rural
37 character. Mr. Rothe said he sees a long list of negative impacts, with very little upside.
38

39 Cassandra Brewster, 129 Thrasher Ave. NE, North Bend, WA 98045. Ms. Brewster said that (the proposed
40 zoning change) would leave all of the residents along the back side of Torguson Park along Thrasher Avenue
41 stranded. Ms. Brewster also discussed her concerns about flood and storm water runoff that will be increased
42 with any new development.
43

44 Laurna Young (*spelling unconfirmed*), 851 E. North Bend Way, North Bend, WA 98045. Ms. Young said she
45 has owned the same property since 1952.
46

47 Chair McFarland asked if there was anyone else that wanted to speak regarding this Docket Item. No one else in
48 attendance offered to speak.
49

50 At 7:40 PM, Chair McFarland closed the Public Hearing on Docket Item #2.
51

52 **4b. Amendments to Comprehensive Plan Land Use Designation and Zoning Map concerning**
53 **properties on E. Park Street (Docket #5)**

54 At 7:41 PM, Chair McFarland opened the Public Hearing on Docket #5.
55

1 Mr. McCarty described Docket #5 specifically, and said that staff does recommend approval following input from
2 the public.

3
4 Chair McFarland called names from the signup sheet to speak at tonight's public hearing.

5
6 Jim Randall, 315 E. Park St., #A2, North Bend, WA 98045. Mr. Randall said that he was surprised to get the
7 notice of this rezone, and asked if this docket request was initiated by a private party. Mr. McCarty answered that
8 it was by staff, and described that it was a follow-up consideration of the previous zoning change in this area that
9 was privately initiated. Mr. Randall said that commercial development on his street will make property values go
10 down, and make living on that street harder. Mr. Randall said he is concerned about losing our small town
11 character, as well as impacts of traffic and parking.

12
13 Nancy Randall, 315 E. Park St., #A2, North Bend, WA 98045. Mrs. Randall said she is dismayed by the rezone
14 proposal, and as an example of what it means by development, Mrs. Randall said to look at the Bartell's project,
15 which demolished five homes. Mrs. Randall said that she does not think anyone would want to live on Park
16 Street if more commercial goes in.

17
18 Colleen Murphy, 315 E. Park St., North Bend, WA 98045. Ms. Murphy related that the neighborhood had
19 installed a mirror so they could see oncoming traffic, because parking is so bad they cannot see oncoming traffic.
20 Ms. Murphy asked if one of the Planning Commission's jobs is to also look at traffic impacts with new
21 development. Mr. McCarty answered Ms. Murphy's question by describing who is responsible to address traffic
22 impacts with development.

23
24 Don Anderson, 315 E. Park St., North Bend, WA 98045. Mr. Anderson said he would echo what Colleen
25 Murphy said about traffic and parking impacts, and shares her concern.

26
27 Chair McFarland asked if there was anyone else that wanted to speak regarding this Docket Item. No one else in
28 attendance offered to speak.

29
30 At 7:54 PM, Chair McFarland closed the Public Hearing on Docket Item #5.

31
32 **4c. Amendments to Comprehensive Plan Land Use Designation Map, Zoning Map and NBMC**
33 **18.10.050 concerning 12727 and 12805 412th Ave. SE (per Century Link request – Docket**
34 **#12)**

35 At 7:55 PM, Chair McFarland opened the Public Hearing on Docket #12.

36
37 Mr. McCarty described Docket #12 specifically, and said that staff felt it was appropriate to rezone the property to
38 commercial, but with some restrictions related to the city's performance standards.

39
40 An unidentified person made comment on this proposed rezone, and described himself as a resident in the area of
41 the rezone. This person said that he believes if you let these people have access to sewer, then you need to let
42 other residential properties have the same access. He also asked why not change the zoning from Low Density
43 Residential to High Density Residential. He also described the flooding issues in the area.

44
45 Mr. McCarty answered the sewer question by stating that any area can form a Utility Local Improvement District,
46 which is an agreement by the property owners to pay for extension of sewer. Mr. McCarty answered the flooding
47 question by stating that any new development would have to conform to the city's Stormwater Standards and the
48 King County Surface Water Design Manual.

49
50 Another unidentified person made comment that years ago, Mr. Churchill had a permit from the county to dredge
51 the South Fork, and we didn't have flooding. She also said that Mr. Riley had a permit to dredge the North Fork,
52 and we didn't have flooding problems. Mr. McCarty said that the county is considering dredging as one of a
53 number of flood control options.

1 Mr. McCarty advised that these properties are not currently within the city limits of North Bend, but are in the
2 city's Urban Growth Area.

3
4 There was discussion, including questions and answers, between unidentified guests, Mr. McCarty and the
5 Commissioners.

6
7 Chair McFarland asked if there was anyone else that wanted to speak regarding this Docket Item. No one else in
8 attendance offered to speak.

9
10 At 8:10 PM, Chair McFarland closed the Public Hearing on Docket Item #12.

11
12 **AGENDA ITEM #5 PLANNING COMMISSION DELIBERATION AND POSSIBLE**
13 **RECOMMENDATION ON ITEMS 4a, 4b, AND 4c ABOVE**

14 There was discussion between the Commissioners and Mr. McCarty concerning Agenda Item 4c, Docket #12.

15
16 Commissioner Luckey made a Motion to deny this docket item (Docket Request #12 - 4c. Amendments to
17 Comprehensive Plan Land Use Designation Map, Zoning Map and NBMC 18.10.050 concerning 12727 and
18 12805 412th Ave. SE) until such time as the subject properties come into the city limits. Chair McFarland asked
19 for discussion. There was discussion between the Commissioners and Mr. McCarty concerning the Motion.
20 Commissioner Elwood offered a friendly amendment to Commissioner Luckey's Motion, to remove the specifying
21 language about annexation, and just make the motion to deny the request for amendments to the Comprehensive
22 Plan. Commissioner Luckey denied the friendly amendment. There was further discussion of the Motion
23 between the Commissioners and Mr. McCarty. Chair McFarland called for a vote on Commissioner Luckey's
24 Motion. The vote was 3:2 (Elwood, Lee) to Approve the Motion. Chair McFarland abstained from voting. The
25 Motion is Approved.

26
27 There was discussion between the Commissioners and Mr. McCarty concerning Agenda Item 4a, Docket #2.
28 Chair McFarland asked Mr. Torguson as the lead applicant of this docket request, for clarification as to whether
29 he was now requesting the change in zoning from Low Density Residential to High Density Residential or to
30 Commercial. Mr. Torguson answered that (the property) was commercial originally, and that it probably should
31 be restored to commercial, and that if you look at the zoning map, it is surrounded by commercial, and he believes
32 that would be also the best and highest use of the property. He has his petition in to change the zoning to multi-
33 residential because he had a buyer for the property to construct a senior housing project. Chair McFarland
34 explained that the proposal is to change the zoning to HDR, and that to change now to commercial would put the
35 issue back to square one. Mr. Torguson said he is agreeable to whatever (the Planning Commission) decides.

36
37 There was further discussion between the Commissioners and Mr. McCarty concerning Docket #2.

38
39 Commissioner Fancher made a Motion to Approve this docket item (Docket #2, Amendments to Zoning Map and
40 NBMC 18.10 concerning properties on the north side of E. North Bend Way between the Cedar Falls Way
41 Roundabout and Thrasher Ave. NE) and to include Ewing Stringfellow's property. Commissioner Luckey
42 seconded the Motion. Chair McFarland asked for discussion. There was further discussion between the
43 Commissioners and Mr. McCarty concerning Commissioner Fancher's Motion. Chair McFarland called for a
44 vote on Commissioner Fancher's Motion. The vote was 3:2 (Muio, Elwood) to Approve the Motion. Chair
45 McFarland abstained from voting. The Motion is Approved.

46
47 There was discussion between the Commissioners and Mr. McCarty concerning Agenda Item 4b, Docket #5. Mr.
48 McCarty said that this particular docket item came from staff, and is not a citizen initiated docket request. Chair
49 McFarland stated that he owns property within 300 feet of this proposal but does not own any of the subject
50 properties, is not directly impacted, and says he feels he can make an unbiased judgment.

51
52 Commissioner Fancher made a Motion to Approve this docket item (Docket #5 - Amendments to Comprehensive
53 Plan Land Use Designation and Zoning Map concerning properties on E. Park Street); Commissioner Elwood
54 seconded the Motion. Chair McFarland asked for discussion. No further discussion was offered. Chair
55 McFarland called for a vote. The vote was 2:2 (Muio, Elwood); Chair McFarland broke the tie. The final vote

1 was 2:3 (Muio, Elwood, McFarland) to Approve the Motion. Commissioner Luckey, who owns property on
2 Park Street, abstained from voting. The Motion Failed.

3
4 Chair McFarland said that concludes items from the Agenda, and asked the Commissioners if there were any
5 other issues to discuss.

6
7 Commissioner Muio asked about the situation with the tattoo parlor. Mr. McCarty explained the situation with
8 the emergency ordinance and council, and said this issue will be coming to the Planning Commission at the very
9 next meeting. Chair McFarland said that he had requested when that situation is brought before the Planning
10 Commission, that there is City Council representation at the meeting/hearing. Mr. McCarty confirmed that
11 Councilmember Pettersen is the Chair of the CED Committee. Chair McFarland said he hopes the person (on the
12 city council) who made the motion on the emergency ordinance can appear at the Planning Commission's next
13 meeting to explain their reasoning, but that the appropriate person may be the liaison (Councilmember Pettersen).

14
15 Mr. McCarty said that City Administrator Londi Lindell will be at the next Planning Commission meeting to
16 discuss the tattoo parlor issue.

17
18 Commissioner Muio asked about the change to the cottage zoning that the Planning Commission worked on, and
19 whether it has already gone to council. Mr. McCarty answered that the Commission recommendation went to
20 council and council heard additional comments and the council wanted to consider that additional comment. Staff
21 needs to get with the city's legal counsel to determine if then the issue needs to come back to the Planning
22 Commission.

23
24 Chair McFarland asked if the Planning Commission could get an update from Public Works on the city's sewer
25 capacity and water capacity.

26
27 **ADJOURNMENT:**

28 Commissioner Muio motioned to adjourn the meeting; Chair McFarland seconded the motion. The meeting
29 adjourned at 9:26 PM.

30
31 **NEXT PLANNING COMMISSION MEETING:**

32 The next Planning Commission meeting will be held May 23, 2013 at the City Hall Conference Room.

33
34 ATTEST:

35
36 
37 _____
38 Rob McFarland, Chair

35
36 
37 _____
38 Mike McCarty, City of North Bend



Planning Commission Recommendation – Century Link Land Use and Zoning Amendments

Application: Comprehensive Plan Land Use Designation and Zoning Map Amendment for 12727 and 12805 412th Ave. SE

Date: March 27, 2014

Proponent (via docket process): Century Link Communications, Owner of 12727 412th Ave SE

Summary of Proposed Comprehensive Plan Land Use Designation and Zoning Map Amendment Request:

On December 14, 2012, the proponent submitted a docket request to re-designate the Comprehensive Plan land use designation for their property at 12727 412th Ave. SE from Residential to Commercial, and re-zone the property accordingly to a zone that would allow commercial uses. (See Docket Request attached as Exhibit 1.) The property contains an existing commercial building and is adjacent to other commercial development to the north in the Interchange Mixed Use zone. The applicant wishes to sell their property and market it for potential redevelopment for commercial uses. Of note, the area is currently outside of City limits within the Urban Growth Area. An annexation would be required for development under the City's zoning.



**Proponent's property at 12727 412th Ave. SE
(photos from King County Assessor's website)**



Adjacent property to south at 12805 412th Ave. SE

Original Proposal and Staff Recommendation:

The Planning Commission took up the applicant's docket request at their January 10, 2013 meeting, adding it to the 2013 docket list for amendments to be considered in the 2013-2014 Comprehensive Plan amendments (Docket #12). Staff prepared a report evaluating the proposal against the Comprehensive Plan and Municipal Code Amendment criteria in NBMC 20.08.070 through 20.08.110. In addition to the proponent's property, staff recommended including the property immediately adjacent to the south at 12805 412th Ave. SE, as it also contains an existing commercial building. Staff recommended approval of a comprehensive plan land use re-designation to Commercial and corresponding rezone to Interchange Mixed Use, subject to performance standards

in NBMC 18.10.050 limiting certain higher-intensity commercial uses on the subject properties that were otherwise permitted in the underlying zoning, due to the location of these properties on a dead-end road further from other commercial uses and adjacent to lower-intensity residential uses. See original staff report and Planning Commission recommendation of denial, attached as Exhibit C.

Planning Commission Findings and Analysis

1. The Planning Commission reviewed the original staff report and recommendation at their April 25 and May 9, 2013 meetings, including holding a public hearing at the May 9 meeting, and recommended denial until such time that the properties come into City limits, finding that the proposed amendments were not in the public interest considering that the proposal is within the Urban Growth Area but outside of the current City limits.
2. Based on a request by the Community and Economic Development Council Committee at its February 25, 2014 meeting, the Planning Commission reviewed and reconsidered the amendments at their March 13 and March 27, 2014 meetings, considering the need to provide appropriate pre-annexation zoning throughout the City's Urban Growth Area, regardless of whether or not a property is currently in City limits.
3. The Planning Commission held a Public Hearing on the proposed amendments at their March 27, 2014 meeting, and received and considered public comment on the amendments.
4. Based on testimony from the applicant and consideration of the appropriate zoning for the subject parcels, the Planning Commission recommended eliminating the staff proposed amendment to NBMC 18.10.050 which would have added performance standards limiting certain higher-intensity commercial uses on the subject properties that were otherwise permitted in the underlying zoning (see original staff report and Planning Commission Recommendation of denial, attached as Exhibit C).

Planning Commission Recommendation

Following consideration of the Comprehensive Plan and Development Regulation Amendment process in NBMC 20.08.070 through 20.08.110, public comment received at the public hearing, and additional consideration of the appropriate land use and zoning for the subject properties, the Planning Commission recommends approval of amendments to the Comprehensive Plan Land Use Map and Zoning Map as follows:

I. Comprehensive Plan Land Use Map Figure 1-1.

The underlying Land Use Designation on the Comprehensive Plan Land Use Designation Map (Figure 1-1) for 12727 412th Ave. SE (parcel 0923089060) and 12805 412th Ave. SE (parcel 1623089088) shall be revised from Residential to Commercial, as depicted on the attached Exhibit A.

II. City of North Bend Zoning Map.

The City's Official Zoning Map shall be amended to revise the zoning for 12727 412th Ave. SE (parcel 0923089060) and 12805 412th Ave. SE (parcel 1623089088) from Low Density Residential to Interchange Mixed Use, as depicted on the attached Exhibit B.



Planning Commission Chair

4/16/14
Date

Exhibits

Exhibit A – Amendments to Land Use Map – Figure 1-1

Exhibit B – Amendments to Zoning Map

Exhibit C – Original Staff Report and Earlier Planning Commission Recommendation of Denial

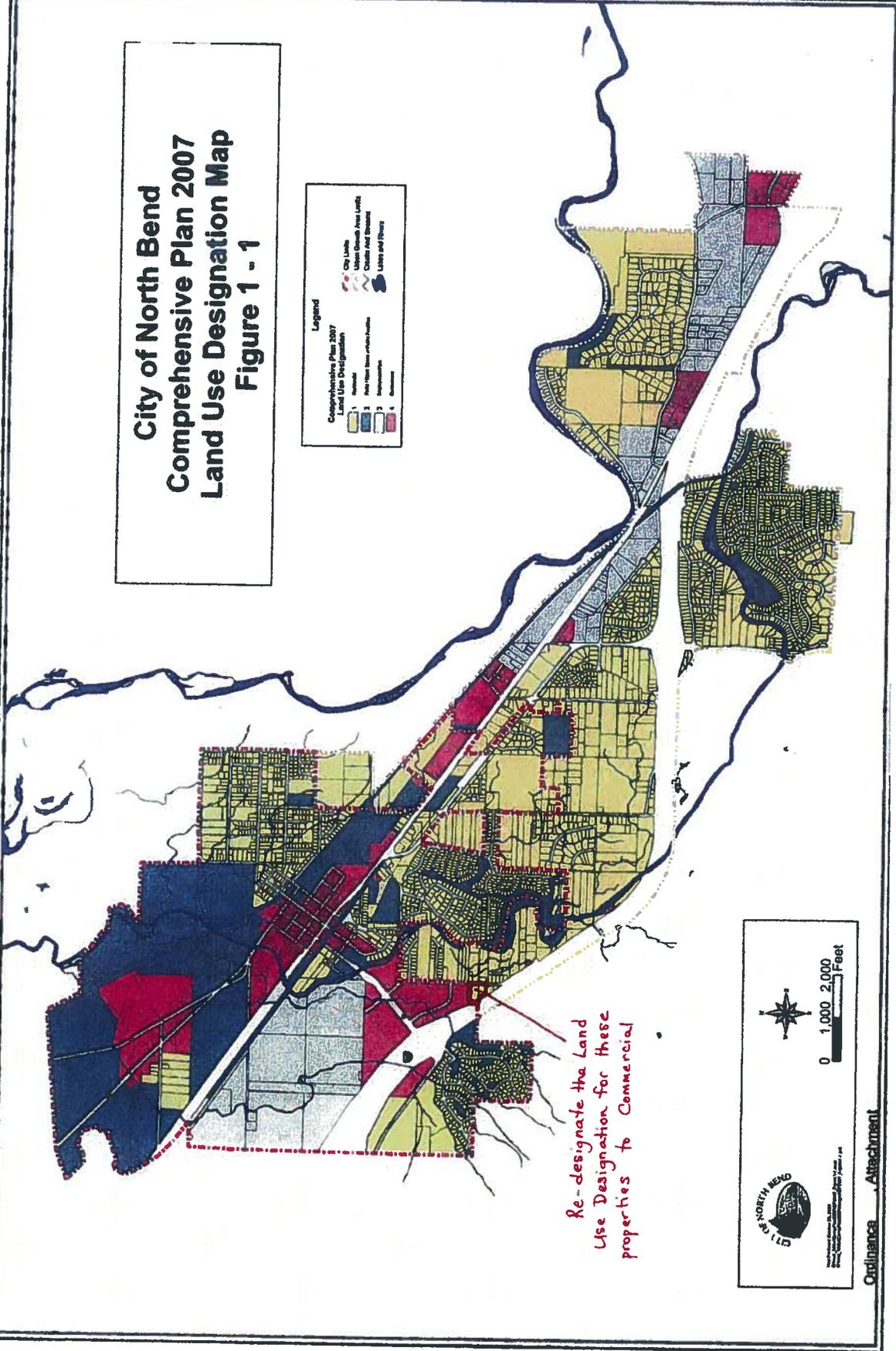
City of North Bend
Comprehensive Plan 2007
Land Use Designation Map
Figure 1 - 1

Legend

Comprehensive Plan 2007
Land Use Designation

- 1 Residential
- 2 Medium Density Residential
- 3 High Density Residential
- 4 Commercial

City Limits
Water (Shaded Area Limits)
City Limits Boundary
Water and Wetlands



Re-designate the Land
Use Designation for these
properties to Commercial

CITY OF NORTH BEND
LED

0 1,000 2,000 Feet

